

# VILLAGE OF SWANTON

Council Meeting Minutes

July 20, 2020

6:30 p.m.

Prayer

Pledge of Allegiance

Roll Call:	Paul Dzyak	Michael Rochelle
	Kathy Kreuz	Craig Rose
	J. David Pilliod	Dianne Westhoven

*Councilwoman Kreuz moved to approve the agenda as amended, seconded by Councilman Pilliod. No discussion. Roll Call. ALL YES. Motion passed 6-0.*

*Councilwoman Kreuz moved to approve June 22, 2020 meeting minutes, seconded by Councilman Pilliod. No discussion. Roll Call. ALL YES. Motion passed 6-0.*

*Councilwoman Westhoven moved to approve June 29, 2020 Special meeting minutes, seconded by Councilman Pilliod. No discussion. Roll Call. Dzyak, Pilliod, Rochelle, Rose, and Westhoven-YES. Kreuz-ABSTAIN. Motion passed 5-0-1.*

Councilman Rose summarized the Committee of the Whole. Please see details below.

Mr. Rose brought up the topic of setting a Public Hearing date for a zoning classification amendment request for 13950 Airport. This was recommended by Committee of the Whole. *Councilman Rose moved to approve setting a public hearing for zoning classification amendment request at 13950 Airport, seconded by Councilwoman Kreuz. No discussion. Roll Call. ALL YES. Motion passed 6-0.*

*Councilman Rose moved to approve the change of the position of Deputy Chief to Assistant Chief and formalize Fire Captain and Fire Lieutenant, with Councilman Pilliod seconding. No discussion. Roll Call. ALL YES. Motion passed 6-0.*

*Councilman Rose moved to approve the job descriptions of Assistant Fire Chief, Fire Captain, Fire Lieutenant, Firefighter EMT, Firefighter Paramedic, with Councilwoman Kreuz seconding. No discussion. Roll Call. ALL YES. Motion passed 6-0.*

*Councilman Rose moved to approve the virtual meeting rules as presented with Councilman Dzyak seconding. No discussion. Roll Call. ALL YES. Motion passed 6-0.*

New Business:

Mrs. Hoelzle detailed information received from Stapleton Insurance. When Stapleton ordered the Village's renewal, they included the request to increase Cyber Liability coverage from \$250,000 up to \$500,000 and to lower the Cyber Liability deductible from \$25,000 down to \$10,000. When the Ohio Plan sent them the revised invoice it only included increasing the Cyber Liability coverage up to \$500,000, it did not include decreasing the deductible. Stapleton found this error when checking the new policy and asked for the Ohio plan to please make the necessary correction. The Cyber Liability deductible has now been decreased from \$25,000 down to \$10,000 which caused an increase of \$1,050.00 for a new total annual premium of \$82,975.00.

*Councilwoman Kreuz moved to approve the additional \$1,050 in premium amount, seconded by Councilman Rochelle. No discussion. Roll Call. ALL YES. Motion passed 6-0.*

The next substantive item on the agenda was discussion of establishing a new fund. Though the State indicates it is not a requirement to have a motion to create the new fund for the CARES Act monies, This was recommended by Committee of the Whole. *Councilman Rochelle moved to approve the establishment of Coronavirus Relief Fund- 2052, seconded by Councilman Rose. No discussion. Roll Call. ALL YES. Motion passed 6-0.*

The next substantive item on the agenda was discussion of amending appropriations to reflect the receipt of CARES funds. This was recommended by Committee of the Whole. *Councilman Rochelle moved to suspend the rules for Emergency Ordinance 2020-XX: Amending Ordinance 2020-07, 2020 Permanent Appropriation Ordinance, seconded by Councilman Rose. No discussion. Roll Call. ALL YES. Motion passed 6-0.*

*Councilman Dzyak moved to approve Emergency Ordinance 2020-XX: Amending Ordinance 2020-07, 2020 Permanent Appropriation Ordinance, seconded by Councilman Rochelle. No discussion. Roll Call. ALL YES. Motion passed 6-0.*

The next substantive item on the agenda was discussion of joining another cooperative purchasing. This was recommended by Committee of the Whole. *Councilman Rose moved to suspend the rules for Emergency Resolution 2020-XX: Authorizing the Village of Swanton to participate in Sourcewell formerly known as the National Joint Powers Alliance (NJPA) Cooperative Purchasing Program seconded by Councilman Pilliod. No discussion. Roll Call. ALL YES. Motion passed 6-0.*

*Councilman Dyzak moved to approve the Emergency Resolution 2020-XX: Authorizing the Village of Swanton to participate in Sourcewell formerly known as the National Joint Powers Alliance (NJPA) Cooperative Purchasing Program seconded by Councilman Rochelle. No discussion. Roll Call. ALL YES. Motion passed 6-0.*

### **Mayor's Report July 20, 2020**

Section 705.79 of the Ohio Revised Code lists the Powers and Duties of Mayor

There are only six (6) such Powers and Duties

Paragraph "B" simply states "Recommend measures to the council for adoption;"

Mayor Toeppe indicated he would make one of those recommendations that evening.

But first he wanted to mention a recent event about graffiti spray painted on a few businesses

#### **Graffiti**

- Buildings on Dodge and Main Streets were defaced
- He became aware of this on Social Media and commented that he personally has ZERO tolerance for this.
  - There was outrage
  - Residents rallied
  - Offer by a resident to paint the buildings for free if the paint was provided
  - Others offered to power wash the buildings
  - Many offered of help
  - Subsequently the graffiti was painted over
- Suggestion was made for the village police department to purchase Trail Cameras or other video surveillance devices that could be strategically placed and moved about in the village
  - He has spoken with the Police Chief about this and they are working on possible video surveillance options and solutions.
  - Partnering with residents/businesses that have video security systems for a voluntary and confidential registry of these systems
    - Would reduce response times
    - Help identify potential persons of interest

#### **Live Streaming of Council, Commission Meetings**

- Council's Committee of the Whole at the last Council Meeting rejected this for a couple of reasons
  - Cost prohibitive relative to the benefit
  - Belief that there was little interest in the community since viewership was low at one council Zoom meeting
- He posed the question of Live Streaming on the Swanton Mayor Facebook page

- There was article in the Village Reporter regarding the council decision that was posted on various community Facebook pages.
  - Both of these received dozens of responses in support of Live Streaming
  - No responses opposed
  - Many noted that they could not attend “live” council meetings and that being able to view the deliberations at their convenience was very beneficial
  - Cost was also addressed
    - A resident is willing to purchase all the equipment necessary for Live Streaming as suggested by the Village Administrator
    - Another, a certified Audio Engineer, offered his services to set up the system for no cost to the village
    - Cost to the Village for the Boxcast service is \$100.00 per month out of an \$11M budget
  - Others who had watched the Zoom meeting(s) noted that they benefited in seeing how decisions were made
  - Others expressed concern that since council rejected the idea of Live Streaming that it suggested that they had something to hide
  - Current and former elected officials from the School Board, Swanton Township, Swancreek Township also commented in favor of Live Streaming.
  - Refer to Bulleted highlights
- In light of the overwhelming public support for this he is now recommending Council’s Committee of the Whole revisit this matter at their next Committee of the Whole meeting

#### **Brookside Complaint**

- There was a posting on Facebook about a resident having difficulty accessing her property due to construction.
- He was tagged in the comments
- He followed up and asked for a Courtesy Call be made to the resident
- After the Courtesy Call he received a phone message from the resident thanking me for following up.

#### **Ohio Municipal League Zoom Call with Senator Sherrod Brown**

- Call was about Police Reform being addressed by Congress
  - Congress is looking at some form of Comprehensive Police Reform
  - Senator Brown noted that while Policing is a local matter the legislature can have an impact
  - Mandatory minimum training requirements
  - Licensing of sworn officers
  - Professional Review Boards
  - More in-depth training on de-escalation techniques

- Recruitment of more officers
- He received a thank you note from the Senator regarding my input
  - Not only do we need to address recruitment of officers
  - We need to address retention of officers
    - Given the current atmosphere regarding policing many young officers are reconsidering remaining on police forces
  - Any Federal requirements need to be concerned about not making it appear that all police officers are being treated as if they are all bad and all need the same type of training
  - Federal legislation would likely add unfunded mandates to already stretched local budgets
  - Police training requirements for densely populated communities likely would be different than that needed for police forces in low density communities
- Lengthy discussion with the Police Chief about this

#### **Fire Advisory Board Meeting**

- Joint meeting of Swancreek Twp and Fulton Twp Trustees with Village Council
- Discussion on moving to a single tax for fire service inside the village limits
- Currently if you reside inside the village limits west of Hallett and south of Dodge you are also in Swancreek Township. If you are north of Dodge you are also in Fulton Township.
- Both the townships and the village may levy Fire Taxes
- This has created a “double taxation” for village residents
- The Fire Advisory Board has been meeting for at least two years to try to find a way to get to one tax.
- They have, with the assistance of the Village Finance Director, devised a plan to do that.
- The townships and the village residents would have to vote on this.
- More details and public discussion will be taking place

#### **Swanton Small Business Owners Group Meeting**

- This group meets monthly to discuss collaborative events
- They recently held a Sidewalk Sale that was a huge success
  - Music
  - Food Truck
  - Sales at all businesses on main Street
- Christmas in July is coming this Saturday
- More events are in the offing

#### **Other Meetings**

- Fire Chief
- Police Chief

- Administrator Hoelzle
- Ohio Municipal League
- Mayors of Ohio Association
  - Health Departments are the Big Stick for enforcement
  - No new orders from the Governor are expected today
  - 5:30 Message is for a larger audience
  - July 22<sup>nd</sup> the U.S. House and Senate likely to address the next round of stimulus
  - House is still in recess
  - Senate is meeting one day a week.
  - Don't expect much from U.S. Congress until after the November elections
  - Groups of 10 and under restrictions likely will remain for the foreseeable future
  - Of 981 Ohio political subdivisions only 283 have provided Resolutions re: Distribution
  - Most mayors are opposed to having local police enforce mask wearing
  - Athens, Ohio went from 34 total cases to over 200 in a couple of weeks
  - Some communities are establishing ordinances instituting fines for not wearing masks
  - Many Central Ohio communities have issued Executive Orders mandating wearing masks
  - Kroger, Sam's and Walmart will be requiring masks Costco and Menards already require them
  - Likely some CARES act funds will be turned back in this October
  - Make a list of what we anticipate spending funds on and forward the list to the OBM for validation of expenses
  - OBM will likely be holding another Webinar soon
  - About \$350M of \$800M has been released
  - Likely there will be no help coming for cities, villages, etc. to fill budget holes

## Administrator Report

1. COVID-19 related
  - a. Municipal Building Operations
    - i. Less foot traffic continues
    - ii. Published survey to garner feedback on service provision
      1. Link is on the Village's Facebook page
      2. Evaluating a slight change in operation time
    - iii. Accounts set up for ACH

1. February 15, 2019: 197
  2. December 16, 2019: 245
  3. March 16, 2020: 260
  4. July 15, 2020: 364
- iv. Emailed statements
    - v. October 23, 2019: 174
    - vi. July 16, 2020: 242
- b. Ohio Public Health Advisory System
    - i. State of Ohio elevated Lucas County to Alert Level 3 (Red) on July 16
    - ii. This system is based off seven (7) public health indicators
      1. New Cases Per Capita
      2. Sustained Increase in New Cases
      3. Proportion of Cases Not Congregate Cases
      4. Sustained Increase in Emergency Room Visits
      5. Sustained Increase in Outpatient Visits
      6. Sustained Increase in New COVID-19 Hospital Admissions
      7. Intensive Care Unit (ICU) Bed Occupancy
- c. Rental Facilities
    - i. Mrs. Hoelzle recently had a conversation with Kim Cupp regarding use of facilities
    - ii. As Mrs. Cupp stated before if the Village could comply with the requirements in the Responsible Restart Ohio guidelines for Restaurants, Bars, and Banquet & Catering Facilities/Services the Village facilities could be used
    - iii. Reviewing all the requirements and realizing the Village is not able to comply adequately, Mrs. Hoelzle made the decision to no longer take reservations until further notice and refund all those who had a reservation
    - iv. Mrs. Hoelzle apologize for any inconvenience, it is not ideal however for the safety of community members she felt it the right path
- d. Water shut off
    - i. Effective July 10, public water systems were allowed to reinstate water shut off procedures for non-payment of bills per the Ohio EPA
    - ii. The Village will follow the order and the next round of water shut offs for non-payment will occur on August 3
    - iii. We kindly request and encourage residents to contact the office if they have questions

- iv. During the moratorium on water shut offs Mrs. Hoelzle made the decision to not assess late fees for any bills paid after the 15<sup>th</sup> of the month. Since the moratorium no longer exists, late fees will be charged
- e. HB 481 funds totals
  - i. Fulton County: \$81,919.88
  - ii. Lucas County: \$35.55
  - iii. Reviewing options for use of funds (must be used to mitigate risk and exposure to COVID-19)

## 2. Project Updates

- a. Project 10
  - i. Road construction began the week of July 13
  - ii. Curbs poured on Brookside
  - iii. Driveway approaches dug out on Parkside
- b. Business & Dodge Alleys
  - i. Public Meeting was held with contractor and engineering firm
  - ii. A small turnout but good information shared
  - iii. Looking to begin by end of July/early August
- c. Meter Upgrade Program
  - i. Slated to begin the first week of August
  - ii. 440 properties affected; each will receive mailings from the third party contractor, PMI
  - iii. Further, each of the 440 received a courtesy reminder door hanger from the Village the week of June 29
  - iv. These reminders are to encourage everyone to set up an appointment
  - v. Public Information session on July 13 via Zoom and streamed live
    - 1. Some engagement from the public

## 3. Planning Commission

- a. July meeting had four (4) Public Hearings
  - ii. Variance Request- 201 Walnut (fence, approved)
  - iii. Variance Request- 13950 Airport (fence, approved)
  - iv. Zoning Classification Amendment- 13950 Airport (not recommended)
  - v. Variance Request- 91 & 93 N. Main (setback, approved)
- b. August is set to have three (3) Public Hearings
  - i. Site Plan- proposed storage unit facility on Airport Highway
  - ii. Variance request- Scottdel
  - iii. Site Plan- 91 & 93 N. Main



4. Field work
  - a. Continue to drive around once a week
  - b. Code Enforcement contact details available in Dropbox
  - c. 22 touch points
    - i. 16 abated
    - ii. 2 in progress
    - iii. 4 no progress

5. 2020 Census

- a. Village of Swanton response as of June 17 is 73% (fairly stagnant over the last month)
- b. Total from 2010 for Village of Swanton was 76.6%

Personnel Report

At the Committee of the Whole meeting on June 22, the recommendation from the Committee is to approve the changes to the Fiscal Officer Position and change the title to Finance Director. *Councilwoman Kreuz moved to approve the updated job description for Finance Director seconded by Councilwomen Westhoven. No discussion. Roll Call. ALL YES. Motion passed 6-0.*

*Councilwoman Kreuz moved to adjourn into Executive Session for public employee hiring, at 7:27 p.m., seconded by Councilwomen Westhoven. No discussion. Roll Call. ALL YES. Motion passed 6-0.*

At 7:37 p.m. Council return from Executive Session. Roll call taken. All present.

*Councilwoman Kreuz moved to approve the reclassification of William Montrie from a temporary hire to a part time member of the Fire and Rescue Division, effective July 26, 2020 at an hourly rate of \$16.00/hour. Mr. Montrie has successfully completed a background check and drug screen upon his temporary hire in April 2020. Mr. Montrie, FFII/Paramedic, will serve a 6-month introductory period effective July 26, 2020, with Councilwoman Westhoven seconding. No discussion. Roll Call. ALL YES. Motion passed 6-0.*

*Councilwoman Kreuz moved to approve the reclassification of Ashley Terry from a temporary hire to a part time member of the Fire and Rescue Division, effective July 26, 2020 at an hourly rate of \$15.00/hour. Ms. Terry has successfully completed a background check and drug screen upon her temporary hire in April 2020. Ms. Terry, FFI/EMT will*

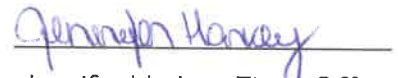
serve a 6-month introductory period effective July 26, 2020 with Councilman Rochelle seconding. No discussion. Roll Call. ALL YES. Motion passed 6-0.

Adjourn:

Councilman Rose moved to adjourn meeting at 7:40 p.m., seconded by Councilman Pilliod. Roll Call. Motion passed 6-0.

  
Neil Toeppe, Mayor

Attest:

  
Jennifer Harkey, Fiscal Office

Committee of the Whole 6:00 p.m.

1. Amend Appropriations
  - a. Due to the creation of a new fund and additional monies received from the passage of HB 481, a representative from the State Auditor's office indicated the need to amend appropriations to reflect these changes
  - b. Fulton County: \$81,919.88
  - c. Lucas County: \$35.55
    - i. Total \$ 81,955.43
  - d. Recommendation to amend appropriations before any expenditures are made
  
2. Sourcewell
  - a. Cooperative purchasing is a tool local governments can use to purchase equipment, vehicles, and more
    - i. <https://www.sourcewell-mn.gov/cooperative-purchasing>
  - b. The Village has participated in the State of Ohio Cooperative Purchasing program for many years
  - c. Sourcewell, formerly known as National Joint Powers Alliance, is another cooperative purchasing program with additional contracts
  - d. Recommendation is to approve resolution allowing participation in this program
  - e. Committee of the Whole recommends moving forward
  
3. Zoning Classification Amendment
  - a. If you recall back in February there was a request for a zoning classification amendment at 13950 Airport Highway
  - b. The owner, at that time, of 13950 Airport Highway requested the zoning amendment from the current Central Business B-3 to One Family Residential R-1.
  - c. The recommendation from the Planning Commission at their February 4 meeting was to approve the zoning classification amendment contingent that the property to the east 13930 Airport (which abuts Valleywood Golf Club) also is rezoned to R-1.
  - d. This was brought before Council at the February 10 meeting and a Public Hearing was set. However, between the time of setting the Public Hearing and the date of the Public Hearing, the property was sold and the previous owner redrew the request for zoning classification amendment.

- e. Soon after the withdraw, the new owner called and asked about the status. I informed her about the withdraw as she was not aware since she believed it was part of the closing process.
- f. This was brought before the Planning Commission again on July 7
  - i. *Planning Commission does not recommend approval.*
- g. Action needed by Council is to set Public Hearing date to review the application from the property owner
- h. IF published in Swanton Enterprise (this property is in Lucas County) on July 28, 30 days would be August 27. The next Council meeting after that is September 14.
  - i. Can schedule a Public Hearing on August 27 OR can schedule it for the same night as Council Meeting on September 14
  - ii. Will be done via Zoom unless things drastic change with the COVID-19 situation
- i. Committee of the Whole recommends September 14 at 7:00 p.m.

#### 4. Job Descriptions- Fire Rescue Division

- a. In Dropbox are the following job descriptions. Yellow highlighted indicates a proposed change
  - i. Assistant Fire Chief
    - 1. Chief Schaffer is proposing to change the title to Assistant Chief from Deputy Chief
  - ii. Fire Captain
  - iii. Fire Lieutenant
  - iv. Firefighter EMT
  - v. Firefighter Paramedic
- b. Would need a motion to create the position of Assistant Chief
- c. Further, to clarify it would be recommended to approve the ranks of Fire Captain and Fire Lieutenant
- d. Chief Schaffer will be able to answer questions
- e. Committee of the Whole recommends creation and renaming Assistant Fire from Deputy Chief as well as Fire Captain and Fire Lieutenant. Further the Committee of the Whole recommends approving all job descriptions as presented.

#### 5. Procedures for virtual meetings

- a. At the beginning of the pandemic it was unknown how long local governments would utilize virtual meetings to conduct business

- b. There are many benefits to virtual meetings however due to the format of remote virtual meetings live streamed to Facebook, a clear procedure for “calling upon” person or groups who wish to speak on a topic is recommended
- c. This is important for record purposes. The ability to meet virtually does not preclude the requirement of meeting minutes. In person meetings typically reference any comments made by the public.
- d. Council Rules illustrate the procedure for public comment and comment on agenda topics for in person meetings
- e. It is recommended to have basic procedures, as in many other communities, for addressing public comment in a virtual meeting
- f. Committee of the Whole recommends the rules as presented