

LOUDONVILLE VILLAGE COUNCIL

September 4, 2018

The Loudonville Village Council met for a regular meeting on Tuesday, September 4, 2018 at 6 p.m. at the Loudonville Village Hall council chambers. Mayor Stricklen called the meeting to order and answering roll call were Mr. Bill Welsh, Mrs. Traci Cooper, Mr. Tom Young, Mr. Michael Robinson, Mr. Jason Van Sickle and Mr. Tom Gallagher. Also in attendance at the meeting were Village Administrator Curt Young, Fiscal Officer Elaine Van Horn, Maintenance Superintendent John Burkhart, Fire Chief Mike Carey, Village residents Matt Young, Jolene Palmer, Dan Piskur, Jim Morris and Cathy Lance, and Loudonville Times Reporter Jim Brewer.

**THE PLEDGE OF ALLEGIANCE:** Mayor Stricklen led the Pledge of Allegiance.

**CONSENT ITEMS:**

**Council Minutes – August 20, 2018 Regular Meeting:** Councilman Gallagher moved the minutes be approved as presented. Second by Councilman Robinson. A roll call upon said motion resulted as follows:  
Mr. Gallagher, yes; Mr. Robinson, yes; Mr. Welsh, yes;  
Mrs. Cooper, abstain; Mr. Young, yes; Mr. Van Sickle, abstain. Motion carried.

**Council Minutes – August 22, 2018 Special Meeting:** Councilman Gallagher moved the minutes be approved as presented. Second by Councilman Robinson. A roll call upon said motion resulted as follows:  
Mr. Gallagher, yes; Mr. Robinson, yes; Mr. Welsh, yes;  
Mrs. Cooper, yes; Mr. Young, yes; Mr. Van Sickle, abstain. Motion carried.

**GUESTS:**

**Recognition of Former Zoning Board of Appeals Member Jolene Palmer:** Mayor Stricklen presented a Certificate of Appreciation to Jolene Palmer, who recently resigned from the Zoning Board of Appeals. Mayor Stricklen bestowed the award to Ms. Palmer on behalf of the Mayor and Council, which recognized her 19 years as a dedicated member of the Zoning Board of Appeals. Mayor Stricklen expressed his appreciation for her fair and impartial service on the ZBA over the years.

**DEPARTMENTAL REPORTS:**

**Reservoir Project – Notice of Interruption of Service:** Administrator Young advised the Council that there would be a short interruption of water service to residents on S. Mt. Vernon Avenue on Wednesday morning, September 5. He noted that tags were hung on the doors of the residents who would be affected.

**LEGISLATION:**

**RESOLUTION 53-2018**

**A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR**

**EMERGENCY MEASURE VOTE**

Councilwoman Cooper moved to suspend the rules and Councilman Welsh seconded that Resolution No. 53-2018 be declared an emergency measure and that the rules of the law, which require an ordinance to be read on three different days, be suspended with respect to Resolution No. 53-2018. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Welsh, yes; Mr. Young, yes;  
Mr. Robinson, yes; Mr. Van Sickle, yes; Mr. Gallagher, yes. Motion carried.

**ADOPTION VOTE**

Councilwoman Cooper moved that Resolution No. 53-2018 be passed as read. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Welsh, yes; Mr. Young, yes;  
Mr. Robinson, yes; Mr. Van Sickle, yes; Mr. Gallagher, yes. Motion carried.

**RESOLUTION 54-2018**

**A RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN A FUND.**

**EMERGENCY MEASURE VOTE**

Councilwoman Cooper moved to suspend the rules and Councilman Welsh seconded that Resolution No. 54-2018 be declared an emergency measure and that the rules of the law, which require an ordinance to

LOUDONVILLE VILLAGE COUNCIL

September 4, 2018

be read on three different days, be suspended with respect to Resolution No. 54-2018. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Welsh, yes; Mr. Young, yes;  
Mr. Robinson, yes; Mr. Van Sickle, yes; Mr. Gallagher, yes. Motion carried.

**ADOPTION VOTE**

Councilwoman Cooper moved that Resolution No. 54-2018 be passed as read. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Welsh, yes; Mr. Young, yes;  
Mr. Robinson, yes; Mr. Van Sickle, yes; Mr. Gallagher, yes. Motion carried.

**ORDINANCE 55-2018**

**AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR AND FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH THE LOUDONVILLE AGRICULTURAL SOCIETY, INC., FOR THE UTILIZATION OF THE STREETS OF THE VILLAGE OF LOUDONVILLE FOR THE 2018 FREE STREET FAIR.**

**EMERGENCY MEASURE VOTE**

Councilwoman Cooper moved to suspend the rules and Councilman Gallagher seconded that Ordinance No. 55-2018 be declared an emergency measure and that the rules of the law, which require an ordinance to be read on three different days, be suspended with respect to Ordinance No. 55-2018. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Gallagher, yes; Mr. Welsh, yes;  
Mr. Young, yes; Mr. Robinson, yes; Mr. Van Sickle, yes. Motion carried.

**ADOPTION VOTE**

Councilwoman Cooper moved that Ordinance No. 55-2018 be passed as read. Second by Councilman Gallagher. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Gallagher, yes; Mr. Welsh, yes;  
Mr. Young, yes; Mr. Robinson, yes; Mr. Van Sickle, yes. Motion carried.

**RESOLUTION 56-2018**

**A RESOLUTION ADOPTING A PROCUREMENT AND PURCHASING POLICY FOR THE VILLAGE OF LOUDONVILLE**

Solicitor Gilman noted that while the majority of the requirements spelled out in the policy are already governed by State statute, the written Procurement and Purchasing Policy is an additional requirement for the receipt of the Federal FEMA Assistance to Firefighters Grant recently awarded to the Village.

**EMERGENCY MEASURE VOTE**

Councilman Gallagher moved to suspend the rules and Councilman Welsh seconded that Resolution No. 56-2018 be declared an emergency measure and that the rules of the law, which require an ordinance to be read on three different days, be suspended with respect to Resolution No. 56-2018. A roll call upon said motion resulted as follows:

Mr. Gallagher, yes; Mr. Welsh, yes; Mrs. Cooper, yes;  
Mr. Young, yes; Mr. Robinson, yes; Mr. Van Sickle, yes. Motion carried.

**ADOPTION VOTE**

Councilman Gallagher moved that Resolution No. 56-2018 be passed as read. Second by Councilman Van Sickle. A roll call upon said motion resulted as follows:

Mr. Gallagher, yes; Mr. Van Sickle, yes; Mr. Welsh, yes;  
Mrs. Cooper, yes; Mr. Young, yes; Mr. Robinson, yes. Motion carried.

**OLD BUSINESS:**

**Renewal of Fire Department Accident Insurance Policy:** Councilwoman Cooper reported that the Finance Committee reviewed the policy history and rates, which covers all fire department members including volunteers, part-time employees and full-time employees. She stated that the committee is recommending that Council approve the renewal of the existing policy at an annual premium of \$2,186. Councilwoman Cooper moved to approve the renewal of the policy with Provident Insurance through Whitaker-Myers Insurance. Second by Councilman Van Sickle. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Van Sickle, yes; Mr. Welsh, yes;

LOUDONVILLE VILLAGE COUNCIL

September 4, 2018

Mr. Young, yes; Mr. Robinson, yes; Mr. Gallagher, yes. Motion carried.

**EMS Hard Billing vs Soft Billing:** Council discussed revising Section 240.14 of the Codified Ordinances, specifically whether residents in townships that have a contract with the Village should continue to be hard billed. Resident Matt Young expressed his opinion that the Fire Department should be treated as a community-driven critical infrastructure and not as a business. He stated that he was concerned that the Village would lose the township contracts if they continue to hard bill and further opined that the Village may be placing profit over public safety. Councilman Gallagher answered that the fire/EMS services should be treated as a critical infrastructure just as the Village treats the water reservoirs, noting that it requires setting sufficient rates to cover the costs of operations and maintenance of the Village's infrastructure. He noted that the current contract is not adjusted mid-contract to account for additional homes that are constructed and should not be adjusted mid-contract to change to soft billing.

Chief Carey stated that he feels it is not worth the risk of losing the townships to continue hard billing the township residents, commenting that hard billing is eroding the relationships between the Village and the townships. Mayor Stricklen concurred, stating that in his opinion it is an insignificant amount that would be lost if the township residents are soft billed. He stated that the Village has a contract with the townships and that contract should be considered as an agreement for the services without an additional amount being billed. He noted that the current contract includes a graduated increase. The Mayor also stated that since 2011, \$150,000 of unpaid EMS billing has been sent to a collection agency, noting \$14,000 has been collected to date by the agency, with approximately \$9,000 received by the Village after the agency fee was deducted. Councilman Gallagher commented that it proves there is at least the potential to collect those funds that are needed to provide the service. He further stated that Village residents pay about \$187 annually on average while the township residents are paying less than \$75 annually. Hanover Township Trustee John Burkhart stated that the Hanover Township Trustees have discussed "moving on from Loudonville." Mayor Stricklen expressed concern that the Village would lose \$60,000 per year if Hanover Township declines to contract with the Village in the future. Councilman Gallagher suggested the soft billing vs hard billing consideration be negotiated when the contracts are renewed. When questioned by Trustee Burkhart about the fire rating for Village residents versus township residents, Councilman Gallagher responded that is the choice of the rural residents to live further outside the Village and that the Village is not responsible for the provision of emergency services outside the Village. Councilman Young expressed concern that the amount the Village would lose with soft billing cannot be identified. Mayor Stricklen responded that he would be willing to take a chance losing a small amount in order to maintain the contract with Hanover. Councilman Gallagher stated that the township trustees must do what is best for their township just as Council must do what is best for the Village residents. Mayor Stricklen stated that as community servants, Council has the ability to look at the Village and neighboring townships as a whole community and suggested that a councilperson move to authorize Solicitor Gilman to draft legislation that would revise the ordinance so that township residents are soft billed. Instead, Councilman Gallagher moved to maintain Codified Ordinance 240.14 as it currently exists until the next contract renewal with the townships. Seconded by Councilman Young. A roll call upon said motion resulted as follows:

Mr. Gallagher, yes; Mr. Young, yes; Mr. Welsh, no;

Mrs. Cooper, no; Mr. Robinson, yes; Mr. Van Sickle, no. Motion failed.

Chief Carey asked council to be proactive by eliminating the hard billing for township residents before the upcoming increase established in the current contract. Solicitor Gilman advised that per *Section 220.01 Rules of Council*, a majority vote of Council is required for the legislation revision. Councilwoman Cooper moved to authorize Solicitor Gilman to revise Section 240.14 of the Codified Ordinances so that township residents within a township that has a contract with the Village for fire and EMS services are soft billed instead of hard billed. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Welsh, yes; Mr. Young, no;

Mr. Robinson, no; Mr. Van Sickle, yes; Mr. Gallagher, no. Motion failed.

Mayor Stricklen expressed his frustration that the Council could not agree on the issue. Councilman Young stated that he felt he is voting for what is best for the Village and its residents, suggesting his position to be similar to what Trustee Burkhart is trying to do for his township residents. He reminded Council that he has expressed his concerns for at least five years that he felt the cost of funding the fire and EMS services was not equitable among the Village and townships. Councilman Young further stated that he has never said that he wanted to make a profit providing fire and EMS services, but rather his concern was in how the services are funded, noting that approximately 20% of the Village income tax revenue every year is used to fund the fire and EMS services for the Village and the townships. Councilman Young went on to suggest that rather than bill the townships on a roughly-per-household basis, instead bill them for services actually rendered based on the percentage of actual costs.

LOUDONVILLE VILLAGE COUNCIL

September 4, 2018

**NEW BUSINESS:**

**Staffing concerns – EMS:** Councilman Gallagher distributed a report he had prepared that included a list of dates that the Loudonville Fire Department has been understaffed, not staffed at all, and staffed without a Paramedic. It was noted that the dates included are from January 1, 2018 through August 24, 2018. Councilman Gallagher stated that he had concerns regarding the understaffing, further commenting that he was told by an employee that they personally paid another volunteer out of their pocket to cover a shift with the employee so they would not be working alone. Chief Carey stated that situation happened because a full-time employee refused to work. Mayor Stricklen chastised Councilman Gallagher, stating that he should have brought his concerns with staffing to him first. Councilman Van Sickle asked that the concerns be reviewed and discussed first in a meeting of the Safety Committee.

**Banner Request – Mohican 5K:** Councilman Young moved to approve the banner request for the Mohican 5K. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

Mr. Young, yes; Mr. Welsh, yes; Mrs. Cooper, yes;  
Mr. Robinson, yes; Mr. Van Sickle, yes; Mr. Gallagher, yes. Motion carried.

**Maintenance Facility Groundbreaking:** Mayor Stricklen reported that the maintenance facility construction is set to begin in the next several weeks. He scheduled a Groundbreaking ceremony for Friday, September 14 at 4:00 PM at the site of the new maintenance facility, noting that he would like all of Council to attend and would be inviting representatives from the American Legion.

**CLAIMS ORDINANCE 2018-17:**

Claims Ordinance 2018-17 was presented for approval. Councilman Van Sickle moved to approve Claims Ordinance 2018-17. Second by Councilwoman Cooper. A roll call upon said motion resulted as follows:

Mr. Van Sickle, yes; Mrs. Cooper, yes; Mr. Welsh, yes;  
Mr. Young, yes; Mr. Robinson, yes; Mr. Gallagher, yes. Motion carried.

**Resignation of Councilwoman Cooper:** Councilwoman Cooper announced her resignation as a councilmember effective at 7:30 PM on this date so that she could work in the theatre. She thanked her fellow councilmembers for working cooperatively with her through the years. She urged Council to establish and maintain more dialogue to work toward their common goals, encouraging them to listen to and consider all ideas and opinions of others. Councilman Welsh noted that he has been honored to serve on Council with Councilwoman Cooper over the years. Mayor Stricklen praised Councilwoman Cooper for her eloquence in diffusing intense situations and for her commitment to maintaining a positive, ongoing collaboration with council members. The Mayor presented her with a resolution that read:

*Whereas*, Traci Cooper, who has tendered her resignation as Councilwoman of the Village of Loudonville, has served this community well and is leaving behind a testament of good citizenship; and

*Whereas*, her years of service began in 2002 on the Loudonville Recreation Board, where she was dedicated to furthering the recreational opportunities in the Village; and

*Whereas*, in January of 2010, she began her tenure on the Village Council, and has worked diligently to develop a comprehensive knowledge and understanding of all facets of municipal government for the betterment of the Village and all our residents; and

*Whereas*, her eight years of service on Council have always been marked by an exemplary allegiance to the best interests of the citizens of the community, and she has, without fail, faithfully and impartially performed the duties of the office.

*Now, therefore*, we do hereby tender this Certificate of Appreciation to Traci Cooper, extending best wishes in all her endeavors.

*In witness whereof*, and on behalf of all of our residents, the Mayor and Council of the Village of Loudonville, Ohio do hereby set our hands and cause the Seal of the Village to be affixed on this 4<sup>th</sup> day of September, 2018.

**Acceptance of Resignation of Councilwoman Cooper:** With reluctance, Councilman Welsh moved to accept the resignation of Councilwoman Cooper, effective September 4, 2018 at 7:30 PM. Second by Councilman Van Sickle. A roll call upon said motion resulted as follows:

Mr. Welsh, yes; Mr. Van Sickle, yes; Mrs. Cooper, abstain;  
Mr. Young, yes; Mr. Robinson, yes; Mr. Gallagher, yes. Motion carried.

**Vacancy on Council:** Council discussed how it was going to proceed with filling the new vacancy on the Council. Solicitor Gilman stated that the Council has 30 days to fill the vacancy for the unexpired term, and if the Council fails to fill such vacancy, the Mayor fills it by appointment. Council agreed to accept letters of interest until September 17, with interviews to be scheduled for September 17.

LOUDONVILLE VILLAGE COUNCIL

September 4, 2018

**ADJOURN:** With no further business to be brought before Council, Councilwoman Cooper moved the meeting be adjourned at 7:15 PM. Second by Councilman Van Sickle. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Van Sickle, yes; Mr. Welsh, yes;  
Mr. Young, yes; Mr. Robinson, yes; Mr. Gallagher, yes. Motion carried.

---

**Fiscal Officer**

---

**Mayor**