

# VILLAGE OF REPUBLIC

## COUNCIL MEETING

### REGULAR SESSION

Held: October 17, 2011

Page 1 of 2

The REGULAR MEETING of VILLAGE OF REPUBLIC convened in regular session from 6:30 P.M. to 7:23 P.M. in the VILLAGE OFFICE, 219 WASHINGTON ST. Mayor Phillip Benner called the meeting to order by leading with the Pledge of Allegiance.

Roll call was then taken with the following members and visitors present:

Mrs. CARISSA BOESER	Present	Mrs. DARLENE HOEPF	Present
Mr. DAVE KIRIAN	Present	Mr. MATT LUCIUS	Present
Mr. LARRY SHOCK	Present	Mrs. REA SPOTTS	Excused

**EMPLOYEES** Fiscal Officer Harer, Police Chief Marfia, and Village Administrator Trott  
**GUESTS:** Resident: Michael Oberlander, Juanita Nause, Bruce Lambert, and Karen Aichholz  
Guest: Jim & Donna Billings

#### AGENDA

Motion made by D. Hoepf to accept the agenda, seconded by L. Shock. All present vote yes.

#### MINUTES

Motion by L. Shock to accept the minutes, seconded by D. Kirian. All present vote yes.

#### GUEST COMMENTS

No Guest Comments

#### MAYOR'S REPORT

Mayor Benner had no information to come before council at this time.

#### POLICE CHIEF'S REPORT

Chief Marfia gave the incident report showing 94 calls for service consisting of: 44 complaints, 17 arrest, 33 traffic enforcement stops of which 14 traffic citations were issued. Councilman M. Lucius asked Chief Marfia how the cuts from the local government funding of 50% over the next two years would affect the operation of the police department, the community, and the revenue the department generates. Marfia stated it will depend on the amount of funding council cuts from the police department's budget. If the total 50% is cut from the police department it will cut part-time patrol and the revenue the department generates will also stop. Even with these drastic cuts within the department of 70-75% the department would still cost something to operate. The only other option would be is to close the entire police department, and council is still faced with trying to find ways to fund the other expenses within the general fund.

#### SOLICITOR REPORT

Palau stated the referendum petition regarding the income tax ordinance was submitted to the Board of Elections by fiscal officer Harer. It will then be sent to the Secretary of State's office for them to determine how they wish to handle it from there. The Village is not putting any impediments in the way; now we wait to see what the State does with it. Councilman M. Lucius asked Palau about the cost of putting this petition on the ballot. Palau stated assuming the Secretary of State's office approves putting this on the ballot it would be on the March 2012 ballot. Palau also stated he asked the Board of Elections and the Auditor's office regarding who pays the cost of placing this on the ballot and they were not sure who is responsible. After looking further it is a constitutional right Palau said for the people to place referendums on the ballot, Palau feels it would be the responsibility of the Village to pay this cost. Lucius asked if the Tax Ordinance was modified would it effect the placement of the referendum petition on the ballot. Palau stated removing the ordinance so it no longer is in effect would be the only way to prevent the petition from being placed on the ballot, and no cost involved.

#### VILLAGE ADMINISTRATOR'S REPORT

Administrator Trott advised council they have completed the flushing of fire hydrants. The valves at the sewer plant were exercised, and the stump grinder has been fixed. Fill dirt has been placed in the areas where the stumps have already been removed with a few stumps still remaining. The Utility Committee met regarding the permit submitted by Mr. Brown at the last council meeting and it was determined to move forward with submitting the permit. Trott also provided council with a Street and Winter Maintenance Policy for their review and he asked them to provide any changes and/or corrects at next council meeting.

#### FISCAL OFFICER'S REPORT

Fiscal Officer Harer presented council the Mayor's Court Report for the month of October along with the Fund Status Report showing the current amount in the checking account.

# VILLAGE OF REPUBLIC

## COUNCIL MEETING

### REGULAR SESSION

Held: October 17, 2011

Page 2 of 2

#### PRESENTATION OF BILLS/FINANCIAL REPORTS

Council was presented with the October warrants. D. Hoepf made motion accepting the monthly warrants; second by C. Boeser, motion passes.

#### COUNCIL (COMMITTEE) REPORTS

Councilman L. Shock confirmed the Utility Committee agreement to move forward with submitting the paperwork for the renewal of the NPDES Permit. Shock felt along with the other committee members if Mr. Brown could save the village approximately \$1,000.00 we needed to submit the reports for the permit, and he gave Trott permission to forward the necessary information.

#### CITIZEN'S COMMENTS

Jim and Donna Billing's were in attendance regarding the alley issues running between their two lots and the alley to access their barn. Mayor Benner has been in contact with the Billing's to help resolve this issue and he brought before council the Billing's request to vacate the alley running between their two (2) 60' lots that boarder Maple Street. The Billings would like to combine their two lots to make one lot with the hopes to build a home in the middle. They also would like to stone the alley running East and West off of Kilbourne which will eliminate the using of the Maple Street alley by Gerhardstein's property. Council asked if there were any utility's running under the ground of the alley being requested vacated and if an easement should be put in place should there be an issue with the Village utilities. Council also questioned the cost for vacating this alley and if so who is responsible for paying these costs. Palau stated there is a cost for surveying of the property, deeds and filing fees. These costs are usually at the expense of the person requesting the vacating of property. After an in-depth discussion of this issue the necessary information is needed before council can or will move forward in this matter. Documentation (written agreement) from all parties boarding the alley being requested vacated and a current survey with proper descriptions. There will be three (3) separate deeds once this is all said and done. All parties are in agreement to stone the alley running East and West from Kilbourne Street. Councilman M. Lucius made motion to allow the Billings to stone the alley, second by C. Boeser, motion passes

#### OLD BUSINESS

There was no old business to come before council.

#### NEW BUSINESS

There was no new business to come before council.

#### EXECUTIVE SESSION

There was no request for an executive session

#### LEGISLATION

**Final Reading Ordinance 2011-09:** (Ordinance establishing a curfew for minors)

\*Councilwoman D. Hoepf made motion to accept Ordinance 2011-09, second by M. Lucius. Roll call was taken with a 4 (yes) and 1 (no) vote; motion passes.

**Final Reading Ordinance 2011-11:** (Ordinance amending section 8 interest and penalties of the village of Republic Tax Ordinance 2011-07 adding section (e).

\*Councilwoman D. Hoepf made motion to accept Ordinance 2011-11, second by M. Lucius. Roll call was taken with all present voting yes; motion passes.

**Second Reading Ordinance 2011-12:** (Ordinance renewing Mayor's Court for the Village of Republic with Limited Jurisdiction.)

\*Councilman L. Shock made motion to accept Ordinance 2011-12, second by D. Kirian. Roll call was taken with all present voting yes; motion passes.

#### OTHER BUSINESS

No other business to come before council.

# VILLAGE OF REPUBLIC

## COUNCIL MEETING

### REGULAR SESSION

Held: October 17, 2011

Page 3 of 2

#### ADJOURNMENT

There being no more business to come before council, Councilman M. Lucius made a motion to adjourn, D. Kirian second the motion. So moved. The meeting was adjourned till Monday November 7, 2011 at 6:30 P.M. at the VILLAGE OFFICE, 219 WASHINGTON ST.

\_\_\_\_\_  
Mrs. CARISSA BOESER

\_\_\_\_\_  
Mrs. DARLENE HOEPF

\_\_\_\_\_  
Mr. DAVE KIRIAN

\_\_\_\_\_  
Mr. MATT LUCIUS

\_\_\_\_\_  
Mr. LARRY SHOCK

\_\_\_\_\_  
EXCUSED  
Mrs. REA SPOTTS

\_\_\_\_\_  
Fiscal Officer: TAMMY HARER

\_\_\_\_\_  
Mayor: PHILLIP BENNER

All formal actions of the REGULAR MEETING of VILLAGE OF REPUBLIC 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.