

Regular Council Meeting
March 23rd, 2011

The meeting of the March 23rd, 2011 Regular Council Meeting was called to order with the Pledge of Allegiance by Mayor Robert C. Bickley.

Roll call: present- Dickman, Fox, Kovetski, Maloney, and Wolf. Absent-Jenkins Also present- Administrator Bruce Bowie, Fiscal Officer Mary Bruno and Solicitor Vickie Ruffing.

Motion by Fox, seconded by Maloney to approve the Minutes of the March 9th, 2011 Council Meeting. Vote-all yeas, motion carried.

There were no bills at tonight's meeting as the Fiscal Officer will pay them next week.

Citizens Participation

Victor Mooney read a statement to Milan Council dated March 23rd, 2011.

Mary Basterash told Council she had given much thought to the conflict management, or conflict resolution or charm school that Mary Bruno has been ordered to attend. She went on to state she remembers working with Mary Bruno and had no problems with her or working with her. She felt Administrators Gene Rospert and Jim Brown worked well with her, as do all other employees. Basterash said perhaps Council should look into how Bruno could work so well with others and now is being punished for not being able to work with Bowie.

Darrell Maines was in attendance to ask Council the status of the 10% outside charge the township residents pay, and also the errors and omissions claim. The Solicitor stated that she and the Fiscal Officer, who had been on vacation, need to get together on this issue. The Solicitor has a list of questions the Fiscal Officer will need to answer for the insurance company.

Dan Rood asked if everyone has to go through training and was told Council will attend other training. Rood then asked if Bruno is being punished and Fox said it was never intended for punishment.

Fox stated Bruno was given a \$500.00 bonus for all her work finding the electric errors. Bruno stated she wanted to clarify the prior statement as it was not accurate. In 2009 Council approved an ordinance for cost savings. Any employee that saved the Village money was entitled to 20% of the savings, not to exceed \$500.00. Several employees received money through the cost savings part of the ordinance in 2009. In January 2010 a motion was made by Council to amend, look at or eliminated the cost savings part of the ordinance. At that time the Mayor appointed David Jenkins to head a committee to look at the ordinance. Jenkins did not form a committee or review the cost savings part of the ordinance; therefore, it was still active in 2010. Four employees submitted documentation for the cost savings for 2010, and one by one, Council voted no, stating their reason behind it was the employees were doing their jobs and shouldn't be rewarded for it. Maloney made the recommendation for Bruno to receive the cost savings, mentioning several times it was not her job. Rood made the statement that Council voted no for all the other employees based on the opinion they were doing their job, and when it came to a vote for Bruno, even though it was clearly stated it wasn't her job, two Council members voted no to her receiving the cost savings part of the ordinance. Bruno stated that was a true statement. Bruno also said if it had not been for the ordinance with the cost savings, she would not have received any money or bonus under any circumstances for her work finding the electric errors. Rood told Bruno he thought she did a great job finding the errors. Rood then asked Bruno if she felt she was being punished. Bruno asked the Mayor and Solicitor if she could answer that question and was not given an answer. Bruno stated she didn't think right now was an appropriate time to answer that question.

Basterash asked how it is not punishment when Council is saying Bruno doesn't play well. Basterash wanted to know how long this will be on Bruno's record, can it be expunged? The Solicitor stated it wasn't a personnel action. If it were in Bruno's record it would be under training that Council had to go to. This would be a positive, not a negative. The Solicitor felt it was a mechanism by way Council felt they could have 2 of their 3 employees do their job better. The Solicitor stated Bruno was not being punished, but had there been better communication between the two offices, perhaps the problem would have been caught more quickly. She went on to say the Administrator and Fiscal Officer are to talk before Council meetings to bring each other up to date with what they have for the meeting. She said if the street department has a project it would like to do, the Administrator should bring it to the Fiscal Officer to see if the Village has the money to do it. It shouldn't go to Council before it goes to the Fiscal Officer. The commission of dispute resolution is a body that will look at the situation as objective outsiders to isolate what the problem is and how to fix it.

Basterash stated she had not heard the word "training" when referring to Bruno before tonight. Basterash said she has been reading prior minutes, and it appears Bruno had tried several times to discuss the electric issues with Council and asked why something wasn't done earlier?

The Mayor said nothing was done because no one around the Council table understood how it got to that point and how big it was, and how they were going to correct it. He said they got their heads together but it may have taken too long. The Solicitor said the dispute resolution is Council's attempt to become more pro-active. The Solicitor said Council has taken it upon themselves to become more educated so there can be a higher level of supervision of pro-active attempt. Creating better communication between and key employees is necessary. The OML offers training in September open to all levels. The Solicitor has requested from the OML any schedules they have for training in hopes Council does not have to wait until September. The Solicitor said it was her idea for the dispute resolution for Bruno and it was not intended for punishment.

Vic Mooney stated he has not known Bruno very long, but it is very obvious to him what the problem is and it isn't Bruno. He said the dispute resolution isn't going to teach someone who already gets along anything new, just maybe show Bruno how to put her head down and get by.

Maloney stated he was aware there was an electric problem, and he asked Bruno what the problem was and she would answer that she didn't know, but she was looking. He said when Bruno started finding errors she went to Maloney and showed him where she thought they were. Maloney then said he wrote a letter to Council stating there was a serious problem with the electric.

Mooney sees nothing on the record of support of Bruno when there was a 6-0 vote for Bruno to attend conflict management.

OLD COMMITTEE BUSINESS

Streets, Sidewalks and Storm Sewers-The Administrator sent a letter to all property owner on Front Street on the Square relative to the mediation process that is available for free to them through Erie County Regional Planning.

There was a street committee meeting earlier in the week with the decision other than critical and necessary work and repairing, no projects will be done this year.

Safety-None

Finance-None

Regional Planning, Building Codes & Inspection- None

Utilities-AMP's sponsored Efficiency Smart Program for electric customers kicked off January 1st, 2011.

Motion by Maloney, seconded by Fox to authorize the drafting of legislation authorizing the execution of the Northern Power Pool Participant Agreement. Roll call: Fox-yes, Kovetsdi-yes, Maloney-yes, Wolf-yes, Dickman-yes, motion carried.

The Mayor stated he paid for his own trip to Washington to attend the APPA convention. He said he has offered in the past to pay for the electric he wasn't billed for but since that couldn't be done he paid for his own trip.

Civic Contact and Historical Preservation-None

Parks and Trees-According to the ODNR website, the Village of Milan is one of 12 northwest Ohio communities to receive funding assistance through the Western Lake Erie Basin EAB Community Grant Project.

NEW COMMITTEE BUSINESS

Streets, Sidewalks and Storm Sewers-The 1995 dump truck needed a replacement cylinder.

ODOT is holding a meeting on April 11th, to review the 2011 Construction Program.

Yard waste will not be collected at the Village street barn.

ODOT will host an open house on April 6th, in Ashland.

Concrete broke around a catch basin in front of the Administration Building and was repaired by R A Bores.

Safety-Motion by Dickman, seconded by Maloney to hire Kyle Sheehan as an auxiliary officer at the rate of \$1.00 a year until training is completed, effective March 23rd, 2011. Vote-all yeas, motion carried.

Sergeant Robert Meister, Officers Patrick Fox, Kalen Baker, James Blevins, Jeffrey Brown, Paul Freeman and Joshua Milchen attended services for fallen officer Andrew Dunn of the Sandusky Police Department, who was

killed in the line of duty on March 19th, 2011. Milan's representation was part of the thousands of police officers paying respect to Officer Dunn and his family.

Finance-Motion by Maloney, seconded by Kovesdi to authorize a 2% raise to all full-time employees, with the exception of Bruce Bowie, and to part-time employees Julie Stelzer and Melissa Vartorella, effective April 1st, 2011, to offset the employees portion of their insurance. The Village insurance went up 27% in 2011. Vote-all yeas, motion carried. This is the first raise since 2008.

Regional Planning, Building Codes & Inspection-None

Utilities-AMP sold the 4th quarter REC's associated with the Erie County Landfill for \$30,800.00.

Civic Contact and Historical Preservation-The American Red Cross Hero Award banquet will be March 26th at Kalahari.

Motion by Maloney, seconded by Fox to authorize Pam Crosby the Village Square for the 18th Annual Mid Summer's Antique Fest on July 10th, 2011 from 8:00 a.m. till 4 p.m. The usual closing of streets request has been submitted to Council. Crosby will speak to the Chief of Police about security, which will not be done on Village time. Insurance information will also be provided. Vote-all yeas, motion carried.

Motion by Maloney, seconded by Kovesdi to allow the Edison Birthplace to place a 3 X 8 foot sign in the Village Square announcing International Museum Day on May 21st. The sign will be placed approximately one week before the event. Vote-all yeas, motion carried. Wolf abstained from the vote.

Wolf suggested sending contributions to Yawata City, Japan, the Village of Milan's sister city, due to the tsunami. Any donation boxes would be the decision of the business owner. Council would have to approve the voluntary donations to be made in the name of the Village. The donations would be forwarded through the American Red Cross to Japan, in honor of Yawata City.

PNC Banks are accepting donations for Officer Andrew Dunn's family.

Parks and Trees-May 11th, 2011 the Mayor will accept the Tree City USA award on behalf of the Village.

UNFINISHED BUSINESS

Legislation

AN ORDINANCE APPROVING THE 2011 APPROPRIATIONS AND DECLARING AN EMERGENCY. Motion by Maloney, seconded by Fox to suspend the rules. Roll call: Kovesdi-yes, Maloney-yes, Wolf-yes, Dickman-yes, Fox-yes, motion carried. Motion by Wolf, seconded by Fox to adopt by title only as an emergency. Roll call: Maloney-yes, Wolf-yes, Dickman-yes, Fox-yes, Kovesdi-yes. Motion no. 548-03-11.

AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 917-12-92 Motion by Maloney seconded by Fox to bring this ordinance to its second reading by title only. Vote-all yeas, motion carried.

Motion by Dickman, seconded by Fox to adjourn. Vote-all yeas, motion carried.

Mayor Robert C. Bickley

Fiscal Officer Mary Bruno

