**The Byesville Village Council met in Regular Session on Wednesday, August 25, 2021, at 5:30 pm, at Village Hall.**

**Those in attendance included Mayor Jay Jackson, Village Administrator Brennan Dudley, and Fiscal Officer Angela Gombeda**

**Mayor Jackson led The Pledge of Allegiance.** **Administrator Dudley offered a prayer.**

**Roll Call: p. – Haren, p. – Port, p. – Kenworthy, p. – Neff, p. – Albright, p. -- Warner**

***Guest:***

Representative with HomeServe presented information about their service to help protect customers, as well as the municipalities from large losses due to leaks. He presented council with a handout covering the information and asked that they discuss offering it to the village’s customers.

***Clerk:***

Councilman Haren made a motion, seconded by Councilwoman Warner to approve the August 11, 2021, meeting minutes. Mr. Haren had one correction of the date shown on the minutes. It will be corrected to reflect the right date.

Yea (6) Haren, Port, Kenworthy, Neff, Albright, Warner

Councilman Kenworthy made a motion, seconded by Councilman Haren to approve the bills.

\*Mr. Neff asked for clarification on the electric bill for the park. Mrs. Gombeda stated that bill was for the park and the ballfield.

\*Mr. Neff asked about the bill to Southeastern Equipment for the park. Mrs. Gombeda stated that it was incorrectly recorded on the spreadsheet and it should have been listed under the street department.

Yea (5) Haren, Port, Kenworthy, Neff, Albright

Abstain (1) Warner

***Administrator:*** Presented by Brennan Dudley

***Mayor:*** Presented by Mayor Jackson

Village operations are in full swing. We are trying to fill in the gaps of everything that needs done. I am working on Fall Beautification. The Car Show is scheduled for September 4, 2021, everyone is invited to come out and help and enjoy the day. We will have the ads out excepting bids for the building and the walking trail within the next few days. MVHC will have their mobile unit at the fire department tomorrow.

***Park:*** ---

***Fire/EMS:*** Asst. Fire Chief Bacon: Mr. Bacon stated that it has been quiet on the fire side. Mr. Rice reported that the air conditioning is out in Medic 101. They are trying to find the issue and will hopefully be able to fix it in house. They are continuing their efforts to recruit more members. \*Mrs. Warner stated that she spoke to Bonnie Jones at the county auditor’s office. She stated that the renewal levy was not placed on the November ballot.

***Solicitor:*** ----

***Village Services:*** Paving on Palmer was done today. I would like to schedule an upcoming Village Services meeting. Mr. Dudley needed to check his schedule and he would confirm once he had the chance to do so.

***Finance:*** ----

***Police*:** Chief Dolan stated that he and the Mayor met with someone from the Ohio Attorney General’s office. She was just coming in to introduce herself and see how things were going. Mrs. Warner asked about the issue of traffic backing up in the area of the school and McDonald’s. Chief Dolan stated that the PD and the school board have come to an agreement for coverage during pickup time. As for McDonald’s, he would watch to see if there was something that needed to be addressed. Mrs. Warner also stated that it was brought to her attention that there was a home at 118 1st Street that has tall grass, carpet on the porch, paint cans and scrap lumber. Chief Dolan stated that he was aware of the issue and there is no one that currently lives there. The lady that lived there sold it to her grandson. I contacted him and he had someone mow the grass, but they have not returned since. I have not been able to get back in contact with him since then. The village has been mowing it and it will be assessed to the taxes. The rubbish will be addressed soon. Mr. Albright asked if the “junk vehicles” are being addressed. He stated that there are vehicles on Race Ave. that have not moved in months. He stated that his guys would not have a way to know if a vehicle has moved at all because it is a possibility that the residents work a different shift than what the officers are patrolling. He said that if they get complaints, they will check into it. Mr. Kenworthy asked to meet with Chief Dolan to work on some legislation.

***Legislative***:

Mr. Kenworthy presented the following legislation:

Motion to Approve the Liability Insurance Renewal: Haren 2nd: Port

Yea (6) Haren, Port, Kenworthy, Neff, Albright, Warner

Resolution 2021-15 A Resolution Amending Appropriations for the Byesville Blast Fund 2905

Motion to Approve: Neff 2nd: Haren

Yea (6) Haren, Port, Kenworthy, Neff, Albright, Warner

Ordinance 2021-17 An Ordinance Establishing a Recruitment, Retention, and Response Incentive Program for the Village of Byesville Volunteer Fire Department

Motion to Pass: Kenworthy 2nd: Port

\*Mr. Albright questioned council stating that he checked with other departments in the area and they do not have these incentive programs as it was stated in a previous meeting. He stated that Mr. Warnock said they do not currently have this program, but feels like they probably should look into it. Mr. Albright asked where the funds were coming from to cover this program. It was stated that it would come from the Fire & EMS Recovery funds. He asked if the members would still be getting their stipend pay on top of the incentive program. Mr. Haren stated that they would, however, the stipend has been reduced. Mr. Albright noted that the fire department is a volunteer position and that when he volunteered for various things, such as little league throughout the years, he did not receive any stipend or incentive pay. Mr. Albright asked for clarification on how the additional stipend would work for the EMR. Mr. Bacon stated that it was a one-time stipend of $100 for getting additional training.

Yea (6) Haren, Port, Kenworthy, Neff, Albright, Warner

Ordinance 2021-21 An Ordinance to Approve and Grant Consent to the Director of ODOT Authority to Maintain Roadways

Motion to Suspend the Rules: Port 2nd: Warner

Yea (6) Haren, Port, Kenworthy, Neff, Albright, Warner

Motion to Pass: Haren 2nd: Port

Yea (6) Haren, Port, Kenworthy, Neff, Albright, Warner

Ordinance 2021-22 An Ordinance Authorizing the Creation of a New Fund to be Known as the “Byesville Park Walking Trail Fund”

Motion to Suspend the Rules: Warner 2nd: Port

Yea (6) Haren, Port, Kenworthy, Neff, Albright, Warner

Motion to Pass: Haren 2nd: Port

Yea (6) Haren, Port, Kenworthy, Neff, Albright, Warner

Ordinance 2021-23 An Ordinance Establishing the Position of “Office Assistant”, Guidelines, and Compensation

1st Reading

\*Mr. Albright stated that he did not think the three positions needed any help or to have an assistant. Mr. Dudley clarified that the position is to fill in for the tax clerk and the utility clerk on the days that they are off, that would be two days that the assistant would be in the office. If there was a need for any additional help, a third day could be added to the schedule. This would help with any situations that may arise due to illnesses or vacations. Mr. Albright stated that it was a lot of money to have someone as “a gopher”, Mr. Dudley stated that Village Hall has had to be closed a lot recently and this would help eliminate that problem. Mr. Haren did not feel that $12/hr was a lot of money for such a position that could be valuable in keeping Village Hall open in absences of the other clerks. Mrs. Warner stated that she too did not feel that it was necessary. She noted that Mr. Dudley would have to approve any vacations that an employee took prior to them having their service time in to accrue vacation time and that if he were to approve any time off, he would be creating a shortage of staff. She commented that if he approves a two-week vacation and creates a shortage, we should not need to hire a person to fill that gap. Mr. Dudley stated that when someone asks for vacation and they have the time, he approves it. There are times that schedules have to be worked around. He also stated that as long as he has been in his position, no one in the office has taken two weeks straight off for vacation. Mr. Dudley gave an example of the tax clerk being on vacation and the utility clerk is filling in that week. There will automatically be one day that the office is closed, due to her day off. What would happen if there was a sickness with herself or a family member? Now, the office could potentially be closed for several days that week with the residents having no access to Village Hall. This position is a backup to these positions and to have someone cross trained to cover. Mrs. Warner asked how we have handled these situations in the past. Mr. Dudley stated that the office would have been closed. Mr. Port stated that the “math” comes out to about $192/week (at two days a week) to cover and keep the office open. The office being closed is a big complaint from residents and this is a small price to pay for conveniences to our citizens. Mr. Albright stated that he thought that it was a 40 hour a week position. Mrs. Warner stated that she too thought the email did state 40 hours. Mr. Dudley read the ordinance and it states not to exceed 24 hours a week. The typical schedule would be Monday and Friday, with an additional day when/if needed. Mr. Haren asked how many days the office would currently be closed if this is not passed or while council completes the three readings on the ordinance. Mr. Dudley stated that the office would not be closed unless something happened that they were both out. That is part of the reasoning behind this position, to cover in that situation. Mrs. Warner asked Mr. Dudley is he would announce when applications were being accepted if this ordinance was passed. He stated that he would.

Ordinance 2021-24 An Ordinance Establishing Additional Compensation for the Fiscal Officer and Income Tax Clerk and Declaring an Emergency

Motion to Suspend the Rules: Haren 2nd: Port

Yea (5) Haren, Port, Kenworthy, Neff, Warner

No (1) Albright

Motion to Pass: Haren 2nd: Port

\*Mr. Albright stated that in his twelve years, everyone has helped out with training one another. No one has ever been compensated to help out. Mr. Dudley stated that in the past other employees have been compensated for taking on additional responsibilities. Mr. Albright said that the tax clerk is not busy at this time of year and it is great that she is helping train, but that’s what we are supposed to do, help each other out. I (Mr. Albright) know that if she was busy, she wouldn’t be able to do it and I don’t know how busy the fiscal officer is, but she has her own job duties and she just does them. As far as I (Mr. Albright) am concerned, it shouldn’t happen. Mrs. Warner stated that she visited Palmer Street and there were employees from other departments helping with the paving project. She stated that Mayor Jackson has in the past made a comment that we’re all in this together. She gave an example that if there is a waterline break, the street department will go help the water department employees without getting any additional pay. She stated that she was confused as to how, or why it is okay for the guys to go help each other out without getting any extra pay, but here in the hall there will be additional pay on the hour. Mayor Jackson stated that it has been done in the past for employees of other departments when they were filling in for positions and taking on extra job duties and responsibilities. They were paid for a short term, as this situation would be. Mayor Jackson and Mr. Dudley stated that this was not something that the employees asked for or expected, but they felt that it was something they would like to do for them as a reward and thank you to show appreciation for the employees stepping in to learn the software and help out. Mr. Dudley stated that council should keep in mind that the positions at village hall are paid considerably less than the “guy” positions. (the positions in the street, water, and sewer departments) Mrs. Warner quoted Mayor Jackson as saying “we are on an equal playing field, village wide”, Mayor Jackson stated that this has been done for other positions in the past and doing so now would keep the playing field equal. Mr. Dudley asked what would happen if someone stated “that’s not in my job description, I’m not doing it”, as a supervisor what action do you take? If you discipline them or fire them, you are short yet another person. It feels that it would be better to give an incentive to help out and train the new employee instead of place yourself in that position. Mr. Dudley stated that the tax clerk and fiscal officer did not ask for the additional pay and that they have done a great job stepping in to keep that office running. He also stated that he did not want to look a gift horse in the mouth and assume that they will continue to do so. Mrs. Warner asked if each employee had specific job duties. Mr. Dudley stated that they each have a job description and most state “other duties as assigned by supervisor”. To that, Mrs. Warner commented that an employee would not be able to refuse to do the job. Mr. Dudley asked what position that would leave him in if someone did refuse. He referenced times that employees stated they would not do the extra job duties without additional pay and they have needed those employees, especially when it came to needing their certifications. Mrs. Warner commented that there was “a lot of money on Palmer Street”, referencing the employees that were there helping with the paving. Mr. Dudley agreed stating that the lowest paid employee that was there, other than the two seasonal employees would have been making $19.60+ an hour compared to the fiscal officer at $16.91 and the tax clerk at $15.38. Mrs. Warner commented that she didn’t want to compare their job responsibilities when it was a hundred and one degrees outside. Mr. Dudley asked if Mrs. Warner was implying that those employees were more important then the ones in the office by referencing the heat. She stated that it was horrible outside and that everyone gets paid for a days work. Mr. Kenworthy suggested having a Legislative meeting to open this up for discussion. Mr. Haren stated that he is ready to vote. Mr. Albright stated that when an employee “on the hill”, everyone jumps in to help train that guy and they don’t get extra pay. Mr. Port added that the tax clerk and fiscal officer had to go through additional training in order to learn the software and help train the new employee. He stated that when all the other departments receive additional training, they are compensated for it. Why is it that these ladies should not? Mrs. Warner stated that most employees do not go elsewhere to get trained except those that are class 1, class 2, etc. certified. Mr. Port said he was not disagreeing that they did not go elsewhere to receive training. He was stating that anyone that received additional training and certification are compensated. Mrs. Gombeda reiterated that Mr. Port was saying the tax clerk and the fiscal officer had to take additional time to go through training on the software for the utility department because there is no one else within Village Hall that knows how to use it. Mr. Albright again stated that everyone should help out and train each other. Mrs. Gombeda again stated that no one within Village Hall could have done that if it was not for the fact that they took the time to have an outside person train them on the system. Mrs. Warner asked if the fiscal officer and tax clerk have been trained to do that job. Mrs. Gombeda stated again that there was an outside person that had trained them on the software to be able to do that position. Mr. Kenworthy clarified that it is a temporary increase and Mrs. Warner clarified that it was until October. Mayor Jackson at that time asked for rollcall.

Yea (4) Haren, Port, Kenworthy, Neff

No (2) Albright, Warner

***Additional Business:***

**Kenworthy: ---**

**Neff:** ---

**Albright: Mr. Albright asked if there was any update on the building downtown. Mayor Jackson stated, as he had in his report that the ads accepting bids will be in the paper soon. Once it is advertised, it will run once a week for five weeks.**

**Warner: Mrs. Warner stated that she wanted to get Mr. Ferguson’s opinion on whether Mr. Haren should have voted on the Fire Levy or stipend. (Meaning the Fire Incentive Ordinance) She also asked where the money for raises and new assistant would come from. Mr. Dudley stated that the raises would be offset by the decrease in pay from the previous water clerk to the new water clerk. The assistant position would come from various departments. Mrs. Warner clarified her question by stating that there is a budget to adhere to and those departments would not have budgeted for a new position. Mr. Dudley stated that there would be reallocations presented to council to cover the changes in the budget, but it would not increase the budget. Mrs. Warner also wanted to address the dress code that is in the employee handbook. She stated that it reads that all employees are to be covered from shoulders to ankles at all times with no see-through sleeves or clothing at any time. She felt that it needed to either be amended or enforce it. Mr. Dudley stated that he was in the process of revising the handbook as he does every year. Mrs. Warner asked for clarification on the sign on the square and the monies used to pay for it. It was agreed that CARES Act money was used to purchase the sign. She stated that she did not like what she was seeing on the sign and that she does not like that anyone is able to promote themselves on the sign. She did not feel that anyone’s name should be displayed on the sign. She suggested that if there is going to be an event that the number only should be displayed or to list the number at village hall. Mrs. Warner stated that there have been lawsuits in other states that this could be considered promoting themselves/campaigning. Mr. Port stated that he is not campaigning, because he is not up for re-election. Mrs. Warner commented that he isn’t for two more years, but he is working up to it. Mayor Jackson stated that he does not feel that it is promotion, it is to contact the person that is heading up the volunteer program. Mrs. Warner stated that it should be phone numbers only and suggested putting the fiscal officer’s number or the village hall number. Mr. Port stated that he did not feel that adding additional work to those employees in village hall was necessary, to which Mrs. Warner commented that if someone was going to be hired for 24 hours a week, maybe they can take care of it. There was a comment made by Mr. Bacon that if he was going to call a number, he wanted a name of the person he was contacting. Mr. Port stated that as council members, elected officials, their phone numbers are public record and are supposed to be recorded with the board of elections. He stated that some members of council have not done so. She reiterated that she feels that names should be removed people could look up the number if they are wanting to know who they are contacting.**

**Haren: ---**

**Port: Mr. Port attended the CIC meeting. Colgate finished their expansion and that will create 24 new jobs. Local businesses are hiring. They are having a hard time finding employees and are hiring as young as 14 years old. It is really hurting our economy because people aren’t wanting to work. There are a lot of job opportunities out there and a lot of places are offering hiring incentives. Ohio GIG is bringing highspeed internet to rural areas. There are other rural areas that are praising this private company and the work they are doing. Michael Mac and movie night will be Saturday, August 28th.**

**Media: Please confirm when and where the Village Services and Legislative meeting will be before 4pm tomorrow. She asked Mrs. Gombeda if she received her reply to the email Mrs. Gombeda had sent her. Mrs. Gombeda stated that she did.**

***Meeting Adjourned***:

Motion to Adjourn: Kenworthy 2nd: Neff

Yea (6) Haren, Port, Kenworthy, Neff, Albright, Warner

Meeting Adjourned: 7:31p

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**Mayor Jay Jackson**

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**Minutes prepared by Village Fiscal Officer, Angela Gombeda**