

RECORD OF PROCEEDINGS

Orwell Village Council

REGULAR Meeting

Date: December 13, 2011

Mayor Bottoms called the meeting to order at 7:00 p.m.

Roll Call: Mr. Hartz, Mrs. Byler, Mr. Herbster, Mr. Rose, Mr. McElroy, Mr. Buchheit, Mrs. Mordesovich and Solicitor Mr. McCombs.

Mayor Bottoms led the pledge.

Public: Mr. & Mrs. Walker, Jack Nettis, Don Kristo, Dwight Johnson, Kyle Cozad, David Ristimaki, Lori Starweather, Doris Cook, Victoria Thompson, Bernadette Herbster, Peggy Bottoms, Greg Hogue.

Mr. Hartz made a motion to approve the agenda as presented, 2nd by Mr. Buchheit.

Vote: Mr. Hartz-yea, Mr. Buchheit-yea, Mr. Rose-yea, Mr. Herbster-yea, Mrs. Byler-yea, Mr. McElroy-yea, Mrs. Mordesovich-yea.

Vote: 7 yeas – 0 nays Agenda approved as presented.

Mr. Hartz made a motion to approve the minutes of November 8, 2011, 2nd by Mr. Rose.

Vote: Mr. Hartz-yea, Mr. Rose-yea, Mr. Herbster-yea, Mr. Buchheit-yea, Mrs. Byler-yea, Mr. McElroy-yea, Mrs. Mordesovich-yea.

Vote: 7 yeas – 0 nays Minutes of November 8, 2011 approved.

Mrs. Byler made a motion to approve the minutes of November 15, 2011, 2nd by Mr. Buchheit.

Vote: Mrs. Byler-yea, Mr. Buchheit-yea, Mr. Rose-yea, Mr. Herbster-yea, Mr. McElroy-yea, Mrs. Mordesovich-yea, Mr. Hartz-yea.

Vote: 7 yeas – 0 nays Minutes of November 15, 2011 approved.

Mr. McElroy made a motion to approve the minutes of Special meeting on November 15, 2011, 2nd by Mr. Hartz.

Vote: Mr. McElroy-yea, Mr. Hartz-yea, Mrs. Mordesovich-yea, Mrs. Byler-yea, Mr. Buchheit-yea, Mr. Herbster-yea, Mr. Rose-yea,

Vote: 7 yeas – 0 nays Minutes of Special meeting on November 15, 2011 approved.

Mr. Hartz made a motion to approve the minutes of special meeting on November 22, 2011, 2nd by Mrs. Byler.

Vote: Mr. Hartz-yea, Mrs. Byler-yea, Mrs. Mordesovich-yea, Mr. McElroy-yea, Mr. Rose-yea, Mr. Herbster-yea, Mr. Buchheit-yea.

Vote: 7 yeas – 0 nays Minutes of November 22, 2011 approved.

Mr. Hartz made a motion to approve minutes of special meeting on December 6, 2011, 2nd by Mrs. Mordesovich.

Vote: Mr. Hartz-yea, Mrs. Mordesovich-yea, Mrs. Byler-yea, Mr. Rose-yea, Mr. Herbster-yea, Mr. Buchheit-yea, Mr. McElroy-yea.

Vote: 7 yeas – 0 nays Minutes of Special meeting on December 6, 2011 approved.

Mr. Herbster made a motion to pay the bills as presented, 2nd by Mr. Hartz.

Vote: Mr. Herbster-yea, Mr. Hartz-yea, Mr. Rose-yea, Mr. Buchheit-yea, Mrs. Byler-yea, Mrs. Mordesovich-yea, Mr. McElroy-yea.

Vote: 7 yeas – 0 nays Bills approved to be paid.

SCAD: Mr. Hartz reported on 11-14-11 meeting: 13 calls to Orwell 237 calls for the year, 1060 YTD; membership drive started; attended Rurtian dinner and was given a donation of \$75.00; nominating committee for 2012 Mr. Hartz, Mr. Wetzel, Mr. Chutas; board moved \$15,000.00 contingency fund to fringe and insurance fund, next meeting December 12. 25 calls to Orwell Village and 262 for month and 94 ahead of last year; expense and income discussed for 2011; new officers for 2012, Mr. Hartz-President, Mr. Dean-V. President, Mr. Hunter-Secretary; transfers \$8000,00 from equipment, \$8000.00 from utilities, \$5,500.00 from maintenance and transferred to insurance fund; board approve appropriations; and amounts and rates from Auditors office and Red Cross to do blood drive on December 26, 2011 from 1-6.

FINANCE: Mr. Herbster made a motion to approve the finance reports, 2nd by Mr. Buchheit.

Vote: Mr. Herbster-yea, Mr. Buchheit-yea, Mr. Rose-yea, Mr. Hartz-yea, Mrs. Byler-yea, Mrs. Mordesovich-yea, Mr. McElroy-yea.

Vote: 7 yeas – 0 nays Finance report approved.

SCMR & LANDS & BUILDINGS: no report.

SAFETY: Mr. Buchheit reported that we had an officer resign and Chief Fernandez has a part time person for police department add to special meeting for the 20th of December, police and fire report; Mr. Buchheit made a motion to have Mrs. Byler and Mr. Hartz put on the board of the Volunteer Fire Fighter's Dependents Fund, 2nd by Mrs. Mordesovich.

Vote: Mr. Buchheit-yea, Mrs. Mordesovich-yea, Mr. Hartz-yea, Mr. Rose-yea, Mrs. Byler-yea, Mr. Herbster-yea, Mr. McElroy-yea.

Vote: 7 yeas – 0 nays Mrs. Byler and Mr. Hartz approved to be on the Volunteer Fire Fighter's Dependents Fund.

PARKS & RECREATION: Mrs. Mordesovich reported all decorations are up and Santa arrived; Peggy Bottoms resigned as of the 2012, Deb Meyer will see if Janis Byler will take position. Mr. Rose made a motion to have the Verdin Clock Maintenance contract renewed, 2nd by Mrs. Mordesovich.

Vote: Mr. Rose-yea, Mrs. Mordesovich-yea, Mrs. Byler-yea, Mr. Hartz-yea, Mr. Herbster-yea, Mr. Buchheit-yea, Mr. McElroy-yea.

Vote: 7 yeas – 0 nays Verdin clock maintenance contract renewed.

PLANNING & ZONING COMMISSION: no report.

BOPA LIASION: Mayor Bottoms reported that Greg passed his test for Water Operator 3, board approved a \$1.00 raise; Hess & Associates quote on the tower project came in high and Greg looking elsewhere; Greg would like to have Gruskiewicz have the lease for the property by the WWTP, need contract; Mr. Tinker said he enjoyed working with everyone and offered to help the Village Administrator. Mr. Buchheit approved a \$1.00 an hour raise for Greg Hogue, 2nd by Mrs. Mordesovich.

Vote: Mr. Buchheit-yea, Mrs. Mordesovich-yea, Mr. Rose-yea, Mr. Herbster-yea, Mrs. Byler-yea, Mr. McElroy-yea, Mr. Hartz-yea.

Vote: 7 yeas – 0 nays \$1.00 raise approved for Greg Hogue.

MAYOR'S COURT REPORT: Mr. Hartz made a motion to approve the Mayor's Court Report, 2nd by Mrs. Byler.

Vote: Mr. Hartz-yea, Mrs. Byler-yea, Mr. Rose-yea, Mr. Herbster-yea, Mr. Buchheit-yea, Mr. McElroy-yea, Mrs. Mordesovich-yea.

Vote: 7 yeas – 0 nays Mayor's Court Report approved.

SOLICITOR'S REPORT: Mr. McCombs stated the State Attorney General's Office called and are requesting that the amount of \$446.10 that was a finding in the 2005-2006 audit be paid, Mr. McCombs stated 3 ways to proceed, either the person that got the money pay it back, Cindy cut a personal check or the Village of Orwell goes to Cindy's bond and pay for it, after much discussion a motion by Mr. Buchheit was made to have Mr. McCombs give the State Attorney General's Office our bond information, 2nd by Mrs. Byler.

Vote: Mr. Buchheit-yea, Mrs. Byler-yea, Mr. McElroy-yea, Mrs. Mordesovich-yea, Mr. Herbster-abstain, Mr. Rose-abstain, Mr. Hartz-abstain.

Vote: 4 yeas – 3 abstains Motion to have Mr. McCombs to give the bond information to the State Attorneys General Office the information approved.

MAYOR'S REPORT: Mayor Bottoms reported South Maple Street will most likely look like it does until spring; holding back 8% for possible repairs in spring; substation going up on Rt. 322; we are 3 points away from the money applied for Grant Valley East; happy to have served the Village for 12 years.

VILLAGE ADMINISTRATOR/MANAGER: Mr. Hartz stated that we interviewed Mr. Jack Nettis and that he is happy with the contract \$60,000.00 a year, 3 years, dental, life, vision, 5 week paid vacation and comp time approved by Council President. Mr. Rose made a motion to approve the contract and Mr. Jack Nettis as Village Administrator/Manager, 2nd by Mr. McElroy.

Vote: Mr. Rose-yea, Mr. McElroy-yea, Mr. Herbster-yea, Mrs. Mordesovich-yea, Mrs. Byler-yea, Mr. Hartz-yea, Mr. Buchheit.

Vote: 7 yeas – 0 nays Contract for Mr. Jack Nettis approved.

Mr. Nettis stated that he was looking forward to starting the first of the year.

OLD BUSINESS

a. Policy Manual

Mr. Hartz made a motion to approve Ordinance 11-12-02, amending on January 1, 2012 the word "mayor" to "Village Manager" in all sections of the Ordinance 09-10-01. The Orwell Village Personnel Policy Manual, 2nd by Mrs. Byler.

Vote: Mr. Hartz-yea, Mrs. Byler-yea, Mr. Rose-yea, Mr. Herbster-yea, Mr. McElroy-yea, Mrs. Mordesovich-yea, Mr. Buchheit-yea.

Vote: 7 yeas – 0 nays Ordinance 11-12-02 approved.

Mr. Herbster made a motion to suspend the rules and declare an emergency for Ordinance 11-12-02, 2nd by Mr. Rose.

Vote: Mr. Herbster-yea, Mr. Rose-yea, Mr. Buchheit-yea, Mrs. Byler-yea, Mr. McElroy-yea, Mrs. Mordesovich-yea, Mr. Hartz-yea.

Vote: 7 yeas – 0 nays Suspend the rules and declare an emergency for Ordinance 11-12-02 approved.

b. Bank Contract

Mr. Herbster made a motion for Resolution 11-12-01R declaring the necessity of depositing inactive, interim and active funds of Orwell Village in an amount not to exceed ten million in the aggregate for the deposit period from December 20, 2011 through December 19, 2016 accepting the application of KeyBank National Association therefore, authorizing the mayor and /or village manager and clerk-treasurer to enter into a contract with said bidder requiring the pledge by the bidder of certain eligible securities, 2nd by Mr. Buchheit.

Vote: Mr. Herbster-yea, Mr. Buchheit-yea, Mr. Rose-yea, Mrs. Byler-yea, Mrs. Mordesovich-yea, Mr. Hartz-yea, Mr. McElroy-yea.

Vote: 7 yeas – 0 nays Resolution 11-12-01R approved.

Mr. Buchheit made a motion to suspend the rules and declare an emergency for Resolution 11-12-01, 2nd by Mrs. Byler.

Vote: Mr. Buchheit-yea, Mrs. Byler-yea, Mr. Rose-yea, Mr. Herbster-yea, Mrs. Mordesovich-yea, Mr. McElroy-yea, Mr. Hartz-yea.

Vote: 7 yeas – 0 nays Suspend the rules and declare an emergency for
Resolution 11-12-01 approved.

c. Amending appropriations-certificate

Mr. Herbster made a motion to approve Ordinance 11-12-01, amending the appropriations for the current expenses and other expenditures of the Village of Orwell during the fiscal year ending December 31, 2011, 2nd by Mr. Hartz.

Vote: Mr. Herbster-yea, Mr. Hartz-yea, Mrs. Byler-yea, Mrs. Mordesovich-yea, Mr. Rose-yea, Mr. Buchheit-yea, Mr. McElroy-yea.

Vote: 7 yeas – 0 nays Ordinance 11-12-01 approved.

Mr. Herbster made a motion to suspend the rules and declare an emergency for Ordinance 11-12-01, 2nd by Mr. Rose.

Vote: Mr. Herbster-yea, Mr. Rose-yea, Mr. Buchheit-yea, Mrs. Byler-yea, Mrs. Mordesovich-yea, Mr. McElroy-yea, Mr. Hartz-yea.

Vote: 7 yeas – 0 nays Suspend the rules and declare an emergency for Ordinance
11-12-01 approved.

Mr. Herbster made a motion to amend the certificate to the county auditor, 2nd by Mrs. Mordesovich.

Vote: Mr. Herbster-yea, Mrs. Mordesovich-yea, Mr. Rose-yea, Mr. Hartz-yea, Mr. Buchheit-yea, Mrs. Byler-yea, Mr. McElroy-yea.

Vote: 7 yeas – 0 nays Amending certificate to the county auditors approved.

Mr. Rose made a motion to adjourn at 7:55 p.m., 2nd by Mr. Herbster

Passed:

Attested:

President of Council

Clerk Treasurer

RECORD OF PROCEEDINGS

Orwell Village Council

SPECIAL MEETING

December 20, 2011

Mayor Bottoms called the special meeting to order at 6:45 p.m.

Present: Mr. Buchheit, Mrs. Mordesovich, Mr. Hartz and Solicitor Mr. McCombs.

Public: Jack Nettis, Chief Fernandez, Doris Cook, Dwight Johnson.

Since we have an absence of quorum, Mr. Hartz made a motion to rescheduled a meeting on December 27 at 6:30 p.m., 2nd by Mr. Buchheit.

Vote: Mr. Hartz-yea, Mr. Buchheit-yea, Mrs. Mordesovich-yea.

Vote: 3 yeas – 0- nays Rescheduled meeting to December 27, at 6:30 p.m.

Adjourned at 6:47 p.m.

Passed:

Attested:

President of Council

Clerk Treasurer

RECORD OF PROCEEDINGS

Orwell Village Council

SPECIAL Meeting

Date: December 27, 2011

Mayor Bottoms called the meeting to order at 6:30 p.m.

Roll Call: Mr. Rose, Mr. Herbster, Mr. Buchheit, Mr. Hartz, Mrs. Mordesovich and Solicitor Mr. McCombs. Mrs. Byler and Mr. McElroy were absent.

Mayor Bottoms led the pledge.

Public: Mr. Jack Nettis, Dwight Johnson, Doris Cook.

Hiring part time police officer

Mr. Buchheit made a motion to hire Leonard Emch as a part time police officer at \$12.00 an hour, 2nd by Mrs. Mordesovich.

Roll Call: Mr. Buchheit-yea, Mrs. Mordesovich-yea, Mr. Rose-yea, Mr. Herbster-yea, Mr. Hartz-yea.

Vote: 5 yeas – 0 nays Leonard Emch is hired as part time police officer at \$12.00 per hour.

Resolution 11-12-02

Mr. Herbster made a motion to approve Resolution 11-12-02 accepting the proposal of Jack J Nettis Jr for appointment to the position of Village Manager, authorizing the President of Council and Clerk treasurer of Orwell Village to enter into a contract according to the terms of said proposal, 2nd by Mr. Hartz.

Vote: Mr. Herbster-yea, Mr. Hartz-yea, Mr. Rose-yea, Mr. Buchheit-yea, Mrs. Mordesovich-yea.

Vote: 5 yeas - 0 nays Resolution 11-12-02

Mr. Rose made a motion to suspend the rules and declare an emergency for Resolution 11-12-02, 2nd by Mr. Buchheit.

Vote: Mr. Rose-yea, Mr. Buchheit-yea, Mr. Herbster-yea, Mr. Hartz-yea, Mrs. Mordesovich-yea.

Vote: 5 yeas – 0 nays Suspend the rules and declare an emergency for Resolution 11-12-02 approved.

Mr. Rose made a motion to adjourn at 6:36 p.m.

Passed:

Attested:

President of Council

Clerk Treasurer

RECORD OF PROCEEDINGS

Orwell Village Council

Organizational Meeting

January 3, 2012

President of Council, Mr. Hartz called the meeting to order at 6:30 p.m.

Roll Call: Mrs. Mordesovich, Mrs. Byler, Mr. McElroy, Mr. Rose, Mr. Hartz and solicitor Mr. McCombs.

Public: Larry Bottoms, Dwight Johnson, Judy Rose, Doris Cook, Lori Starweather.

Mr. Hartz led the pledge.

Item A: Place and time

Place-Administration center

Council Meeting at 6:30 p.m. pay bills and 7:00 p.m. for meeting and Work Session at 6:30 p.m.

Motion by: Mrs. Mordesovich

2nd by: Mrs. Byler

Vote: 5 yeas – 0 nays

Dates:

Work Sessions

January 12

February 9

March 8

April 12

May 8

June 12

July 10

August 14

September 11

October 9

November 13

December 11

Council Meetings

January 19

February 16

March 15

April 19

May 15

June 19

July 17

August 21

September 18

October 16

November 20

December 18

Motion by Mrs. Byler

2nd by: Mrs. Mordesovich

Vote: 5 yeas – 0 nays

Item B: Robert Rules of Order shall be adopted by Council as official meeting rules.

Motion By: Mr. Rose

2nd by: Mr. McElroy

Vote: 5 yeas -0 nays

Item C:

Council Agenda

- I. Meeting called to order
- II. Roll Call
- III. Pledge
- IV. Accept Agenda
- V. Minutes
- VI. Bills
- VII. Public
- VIII. SCAD Report
- IX. Village Manager and Department Reports
- X. Solicitor's Report
- XI. Clerk's Report
- XII. Old Business
- XIII. New Business
- XIV. Adjournment

Motion by: Mrs. Byler

2nd by: Mr. McElroy

Vote: 5 yeas – 0 nays

Item D: Newspaper of Record-Star Beacon

Motion by: Mr. McElroy

2nd by: Mrs. Byler

Vote: 5 yeas – 0 nays

Item E: Temporary appropriations for 2012 set at ¼ of 2011, appropriations beginning January 1, 2012 to March 31, 2012 amount to be 25% of the total budget from 2011.

Motion by: Mrs. Byler

2nd by: Mrs. Mordesovich

Vote; 5 yeas – 0 nays

Motion to create Village Manager Fund, eliminate Mayor's Fund, use Water and Sewer Administration Fund.

Motion by: Mrs. Mordesovich

2nd by: Mr. Rose

Vote: 5 yeas – 0 nays

Item F:

Council Appointments

Motion to appoint John Burkhart to Zoning Board of Appeals with term date of 2015.

Motion by: Mrs. Byler

2nd by: Mrs. Mordesovich

Vote: 5 yeas – 0 nays

Motion to appoint Suzanne Martin to Planning & Zoning Commission with term date of 2014.

Motion by: Mr. McElroy
2nd by: Mrs. Byler
Vote: 5 years – 0 nays

Motion to appoint Debbie Meyer to the Parks & Recreation Board with term date of 2015.
Motion by: Mrs. Byler
2nd by: Mr. Hartz
Vote: 5 years – 0 nays

Motion to appoint Mr. McElroy as liaison to Orwell Area Joint Recreation District.
Motion by: Mrs. Mordesovich
2nd by: Mrs. Byler
Vote: 5 years – 0 nays

Item G:
Street Commission as Chief Chad Fernandez
Motion by: Mrs. Byler
2nd by: Mr. Hartz
Vote: 5 years - 0 nays

SCAD meetings Mr. Hartz and Mrs. Mordesovich as alternate.
Motion by: Mrs. Byler
2nd by: Mr. McElroy
Vote: 5 years – 0 nays

Fire Chief for Orwell Village Chief Joe Albergo
Motion by: Mr. McElroy
2nd by: Mrs. Mordesovich

Item I;
Motion to appoint David Hartz as Council President
Motion by: Mrs. Mordesovich
2nd by: Mr. McElroy
Vote: 5 years – 0 nays

Motion to appoint Charles McElroy as Vice President of Council
Motion by: Mr. Hartz
2nd by: Mrs. Byler
Vote: 5 years – 0 nays

Item J:
Any other business before Council-none.
Mr. Nettis stated some of his objectives for the coming year and stated he had met most of the supervisors.

Motion to adjourn: Mr. McElroy

2nd by: Mrs. Mordesovich
Time 7:30 p.m.

Passed:

Approved:

President of Council

Clerk Treasurer

RECORD OF PROCEEDINGS

Orwell Village Council

WORK SESSION

January 12, 2012

Vice President of Council Mr. McElroy called the meeting to order at 6:30 p.m.

Roll Call: Mr. McElroy, Mrs. Mordesovich, Mrs. Byler and solicitor Mr. McCombs.

Public: Dwight Johnson, Doris Cook, Larry Bottoms.

Mr. McElroy led the pledge.

Mr. Nettis presented his agenda and discussion was on budget temp., budget planning, long range planning, intend to have draft by February meeting, check signing limits, same as before \$5,000.00, road projects, oil/gas leases, upgrade computers. Meetings attended: County Planning, Ashtabula Growth Partnership, Mr. Smollen to discuss Leffingwell and South Maple Street projects, Janice Switzer, Orwell trustees, in the community the Am. Legion, Coffee Connection, Community Service. Meeting with Kennametal concerns are electric and water tower, Telephone Company, and also chamber events coming up Valentines's Dance, Citizen of the Year. Met with Chief Fernandez and Chief Albergo.

Also had a meeting with Roaming Shores and City of Geneva concerning the water meters, purchase and installing new ones, going out for bid, reducing cost, residential and commercial also, create memorandum for collaboration.

Adjourn at 7:35 p.m.

Passed:

Approved:

President of Council

Clerk Treasurer