

**RECORD OF PROCEEDINGS
SPECIAL COUNCIL MEETING
FRIDAY, SEPTEMBER 25, 2020 – 8:00 A.M.
MAYOR WILLIAM G. KOONS PRESIDING**

MEMBERS PRESENT: Berger, Canton, Carroll, Galicki , Nairn, Porter (8:02)

OFFICIALS PRESENT: Fiscal Officer Romanowski, Solicitor Matheney

VISITORS: Greg Heilman; Resident; Collin Cunningham, CVT

The Mayor called the Special Council meeting conducted via the teleconference service Zoom to order. The Fiscal Officer read the roll. Berger, Canton, Carroll, Galicki, and Nairn were present. Porter joined the meeting at 8:02 a.m.

The Mayor advised the first item on the agenda was to accept an employee resignation. Carroll made a motion to accept the employee resignation of Nancy Grattino, seconded by Canton. Roll call, ayes – Berger, Canton, Carroll, Galicki, and Nairn. Motion carried.

Nairn provided the third reading of an ordinance amending Appendix D Job Description of the Village's Employee Handbook of the job description of the Building Department Administrative Assistant/Board Clerk/Assistant Zoning Inspector and reflect that such position will be full-time. Nairn made a motion to adopt, seconded by Canton. Carroll referred to the Zoning Inspector part of the job description and stated that the current Fire Inspector indicated he would be interested in doing zoning. Carroll asked if Council would consider this. The Mayor said it could be considered, but right now the Village wanted to fill the position. He added that the job could always be taken off and filled later. Carroll wondered if it were an opportunity to hit the pause button. He suggested the position be reconsidered to meet the best needs of the Village. The Mayor stated that what was best for the Village would be to have a person who could sign off on the paperwork for zoning issues. Galicki stated that the events of the past week showed the danger of combining the three positions. Losing one individual puts the Village at risk for having everything stop at the Building Department. Regarding the availability of someone to sign for zoning, the Village still has Dave Hocevar who was being paid a retainer and could do these duties. The Mayor's understanding was that the Zoning Inspector could do the work, but the Assistant Zoning Inspector could sign some of the paperwork. The Solicitor stated both could do so. She questioned how much paperwork there might be that required an Assistant Zoning Inspector to sign. Carroll stated that the Village has a Fire Marshall and zoning was discussed with him during his interview. It would allow the position additional hours. To Galicki's point, Carroll said the Village has a Zoning Inspector who can sign, so it is not a necessity. The Mayor stated it gives flexibility.

Nairn stated that the definition of insanity is doing the same thing over and over again. She explained that there had been issues with Building Department for a long time. She had concerns about hiring one person and having only one person in the department, Hocevar aside because he is a contractor. Nairn added that she is a fan of cross training. She felt two individuals were needed who could run the

department if one or the other could not be there. Nairn concluded that what had been done was not serving the Village. Carroll asked if Nairn was referring to two full-time or two part-time. Nairn clarified two part-time employees and keeping a part-time Building Department. Both people should be trained and educated on the workings of Building Department. She did not favor a single person being in control and not allowing anyone else to be involved.

Roll call – ayes, Porter, Berger, Canton. Nays, Carroll, Galicki, and Nairn. The Mayor voted aye. Motion carried.

The Mayor asked for a motion to advertise and seek applicants for the Building Department full-time assistant. Canton made the motion, seconded by Porter. Carroll reiterated Nairn's point that without knowing if zoning would be part of the position, he questioned whether it should be full-time. The Solicitor suggested that the Village advertise for two positions, the part-time Building Department Administrative Assistant/Board Clerk and the new full-time Building Department Administrative Assistant/Board Clerk/Assistant Zoning Inspector. This would address the circumstance in which Council did not proceed with the addition of Assistant Zoning Inspector. Carroll and Porter agreed it was a good idea and might increase the applicant pool. Galicki asked Solicitor whether the two separate job descriptions would not include whether they were full-time or part-time. The Solicitor suggested advertising the positions as stated in the job descriptions. Carroll stated it offered flexibility based on the candidates. Galicki clarified that the Assistant Zoning Inspector would not be addressed. Porter stated that the full-time job description did address this position, but not the part-time. Carroll explained that technically, the Village did not have to have an Assistant Zoning Inspector because the Village has a Zoning Inspector. However, if the Village were to find a candidate who wanted to do it all and it were a full-time position, then so be it. Carroll felt that more details of hours would have to be pinned down in the event that a more efficient individual were identified for the minutes for the Boards. Additionally, the Zoning Inspector position could be done separately or offered to the Fire Marshall. He liked the flexibility this arrangement would allow.

Canton amended the previous motion to include both full-time and part-time Administrative Assistant/Board Clerk, seconded by Carroll. Roll call, ayes, all. Motion carried.

The Mayor asked the Fiscal Officer to look at the previous year's applicants.

The Mayor proposed the Village engage a transcription service because the Village was behind on minutes. Carroll asked if the Fiscal Officer or her Administrative Assistant could do it. The Fiscal Officer said she was going to offer this, and her Administrative Assistant had done it in the past. The Mayor stated that the Fiscal Office was facing a large number of public records requests and asked if it would be a burden. The Fiscal Officer asked how far behind the minutes were, and the Mayor thought there might be six. The Fiscal Officer stated her Administrative Assistant would need more hours approved to accomplish this. The Solicitor stated a motion would be required because the Administrative Assistant's hours were determined by motion. The Fiscal Officer stated that the current motion stipulated 24 hours. Carroll made a motion to give the Fiscal Officer and her department the necessary hours to get caught up on Board Clerk minutes. Roll call ayes, Porter, Berger, Canton Carroll, Nairn. Galicki recused himself. Motion carried.

The Mayor next proposed the hiring of a temp service for the Building Department. Porter asked how this would work. The Mayor said the Village could have someone there Monday morning to occupy the office and answer phones. The temp would cost \$25.00 per hour and would be from an agency. Nairn asked if the individual would be familiar with Building Department operations, and the Mayor stated no. He added that he had contacted a company used by the Northeast Ohio Public Energy Council. Carroll stated that the Fiscal Officer's Administrative Assistant had done some cross-training in the Building Department and suggested seeing if she would be interested. The Fiscal Officer advised there is already a great deal of work in the Fiscal Office but added that she understood that \$25 per hour was a lot of money to pay someone to sit in an office. Nairn agreed. Galicki said that a temp would answer phones and write messages for Hocevar. He did not think the temp would be able to answer questions or take deposits. Potentially, the best solution may be to have a voice mail message that relays the current issue with the Building Department and forward voicemails to Hocevar. He did not see value of a temp service with no knowledge of zoning or operational requirements. Carroll asked if this would fit within Hocevar's retainer. Porter stated if Hocevar were to go over his hourly commitment to the Village, it could get costly. He thought the temp agency was the Village's best bet.

Carroll asked how many hours per day the Village would employ the temp and suggested four hours per day. He would not want a temp agency from 8:00 a.m. until 4:00 p.m. Monday through Friday. The Mayor agreed and suggested having the temp work 25 hours a week. He suggested seeing if the temp could do transcription. The Fiscal Officer agreed this was an option. The Mayor suggested limiting the temp to 25 to 35 hours and determining whether the temp could do transcription. Carroll suggested 5 hours per day. The Mayor suggested the temp would work 8:00 a.m. until 2:15 p.m. The Mayor suggested having the temp for 30 hours a week. Galicki suggested sticking with 25 hours, rather than exceeding the hours worked by the former employee in that position. Carroll made a motion to hire a temp for up to 25 hours for Building Department hours. If the Mayor found that the temp agency had different requirements with hours or rates, it could be revisited at the September 28th Council meeting.

Carroll made a motion to hire a temp agency for 25 hours a week for the office hours of 8:00 a.m. to 2:15 to conduct Building Department Administrative Assistant duties and to potentially transcribe the backlogged Board meeting minutes, seconded by Canton. Nairn asked what the ceiling was that the Village would pay. Carroll said the Mayor had indicated \$25.00 per hour. Roll call, ayes, all. Motion carried.

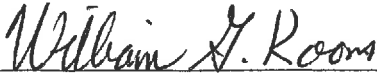
Regarding in-person meetings, Carroll stated it had been difficult to do Executive Sessions in the Zoom meeting format. He added that one was required. Carroll explained that Chief Rizzo set up a camera and Carroll believed it would be possible to do an in-person meeting and broadcast it via Zoom so that the public and Village Officials could participate. He clarified that the Fiscal Officer and Solicitor would be present with Council in chambers. There would be appropriate space and it would be possible to do an Executive Session without having to rely on technology. Council could then easily re-enter the Council meeting on Zoom. Carroll thought Council could try it for Monday's meeting. Nairn asked if this arrangement were for Monday only or also the October 12th meeting too because there would be over 10 persons attending. Carroll explained that the Officials could participate over Zoom. Carroll stressed that there was a need to have an Executive Session.

The Mayor was not in favor of an in-person meeting for the September 28th meeting and felt this was rushed. There would be guests speaking at this meeting. He suggested having Zoom Council meetings for September 28th and October 12th. It could instead be done with the October 19th NOPEC Public Hearing. The Mayor was not aware of the need or request for Executive Session. He was not comfortable with having 10 people in Council Chambers in masks. Carroll acknowledged that he too is sensitive to distance requirements but felt that an Executive Session was required to discuss personnel issues and possible litigation.


Regarding the 10-person rule, the Solicitor said there are opinions by the Ohio Municipal Attorneys Association and the Ohio Department of Health stating that as long as it is possible to physically distance and masks can be worn where appropriate, it is felt that it is a First Amendment Government function to have in-person meetings for municipalities and local authorities. Thus, the Village would not be in violation of the 10-person rule.

Porter supported meeting in person. Nairn agreed. Galicki said he would be fine meeting in person. He questioned the impact of potentially turning away the public, however. The Mayor suggested trying it out with a simple Public Hearing on October 19th. If it worked, they could do it on October 26th. Galicki asked if this meant putting off Executive Session until October 26th. The Mayor stated if there were a need for Executive Session, he would see what he could do to have it ready for the September 28th meeting. He was unaware of a need for an Executive Session or of possible litigation. Galicki thought the need for an Executive Session was expressed at the last meeting and this was the reason the Chief was exploring what could be done technologically to support this. Carroll wanted to do Executive Session sooner rather than later. He acknowledged the issue with having speakers on Monday but stressed the need to pin down the Executive Session for Monday. Council discussed the possibility of trying the in-person meeting with simulcast via Zoom at the October 1st Budget Work Session meeting. Carroll would meet with the Mayor and Chief to explain the process. The Mayor thought this would be a good test

ADJOURNMENT: Being that there was no further business before Council, Carroll made a motion to adjourn at 8:49 a.m., seconded by Nairn. Roll call – ayes, all. Motion carried.



William G. Koons, Mayor



Danielle Romanowski, Fiscal Officer

Prepared by Leslie Galicki