



Village of Reminderville  
Council Meeting  
January 28, 2014

**Call to Order**

Meeting was called to order by Mayor Alonso at 8:17 p.m.

**Roll Call**

Mr. Walter, present  
Mr. DiCarlo, present  
Mr. Kondik, present  
Mr. Molina, present  
Mr. Silversten, excused  
Mr. Hoffmann, present

**Approval of Minutes**

Mr. Molina moved to approve minutes from January 14, 2014. Mr. Walter seconded. All in favor.

**Acceptance of Financial Reports**

Mr. DiCarlo moved to accept financial reports. Mr. Molina seconded. All in favor.

**Amendments to the Agenda**

Mr. DiCarlo moved to add Resolution 13-2014 to the agenda. Mr. Molina seconded. All in favor.

Mr. DiCarlo moved to add Resolution 14-2014 to the agenda. Mr. Molina seconded. All in favor.

Mr. DiCarlo moved to add Resolution 15-2014 to the agenda. Mr. Molina seconded. All in favor.

Mr. DiCarlo moved to add Resolution 16-2014 to the agenda. Mr. Molina seconded. All in favor.

**Comments from the public:** Thirty minutes maximum time, five minutes per person. Raise your hand, state your name and address. Please remember

residents have the opportunity to raise their hands and be recognized by the chair at any time during public meetings.

**Al Williams 10589 Florida Street**

I would like to thank Deborah for giving me the 2014 budget and I would like to tell her that the way it was arranged was much easier to follow than the 2010 budget. I compared 2014 to 2010 to see how things look between what has happened in four years. The Mayor's budget increased by 256%. This was mainly due to the change in salary of \$13,000 to \$30,000 which is an increase of 230%. The additional would be OPERS and other expenses so that's how it's split up. This change came about because we listened to the fact that it was done due to the amount of time the mayor was spending on building projects and the time he spends in the office each day. Council's budget increased by 134% when compared to 2010, however in 2010 they were legal fees of \$62,240 which compares only to \$8,000 being budgeted in 2014. That \$62,240 was the result of some of the problems we were having in 2009 and the legal fees that were accrued that still needed to be paid. I therefore then made another comparison of 2014 to the 2012 budget and that brings the increase that they are making or their budget is 199% of that of 2012. Budget only shows a total of \$5,810 for medical and dental insurance for Council, the newspaper indicated the cost could add an additional \$32,000 more to the Village budget if all take the insurance. This would then increase the percentage even higher. Fiscal officer's budget would be 103% over 2010 budget. I know what has happened in the central office here would change the budget slightly but again that is a very small increase. When comparing the fire and service department's, there's would be 115% of the 2010 budget and the police department is at 140% in comparison. Considering the responsibilities and time on duty, the increase of Council seems quite out of line to me. Also in considering an increase in insurance would be for compensation that may not be following article 1.14 of the Charter. While in the Charter I also noticed that Article 16.02, the responsibilities and duties of the Finance Committee may not be being followed. While serving on Council I was an elected employee but not a full-time employee and I considered myself a public servant since it was the citizens of the community who elected me to office and the compensation was then that of a part-time employee. In any other world, part-time employees do not receive any insurance compensation. In closing I was also amazed that the empty chair referred to in the last meeting by a member of Council was filled at both special meetings in December and that person moved to bring the resolutions to the floor. Also it is amazing that neither of these meetings were recorded for broadcast. That's all I have to say. I just feel right now that we need to take some time to think about whether or not what we're spending is more than what we have.

**Mary Williams 10589 Florida Street**

All I want to say is whether I like the fact that you have insurance or whether I don't like the fact that they voted themselves insurance, they went about it in a sort of sneaky underhanded way to call for two special meetings in late

December when I'm sure they assumed that the public wouldn't be here and know what was going on and they used someone who was absent most of the last six months of the year to do their work for them by presenting it to the floor and voting it for the emergency passage and all this. I thought when this Council was elected it would be a lot different than the Council previously and it sort of was and is, in some ways, but it seems like they're slipping back into their old ways of doing business in a manner that is not quite on the up-and-up.

**Bill Jones 3565 Castaway Cove**

Last time, last meeting I gave you some definitions from Federal; the Ohio Revised Code defines employee, again, it states employee includes any elected or appointed official of a political subdivision, which I believe Council is. Again from the Ohio Revised Code, compensation includes money, thing of value, or financial benefit. Now for the public agency, it applies to villages. Unless I'm wrong, I don't feel our Charter, at the last meeting I was told you're not considered employees and by Charter your public officials, elected officials. According to the Ohio Revised Code, you are employees so that would mean you're in violation of our Charter because our Charter says employees must be full-time to get health care. Mr. DiCarlo, if you could tell me, at the special meeting on December 19, when you gentlemen were discussing the health care, it states "Mr. DiCarlo replied, by voting yes, it is basically giving a raise to Council members". Can you tell me why then you voted yes?

**Mr. DiCarlo:** Am I supposed to respond to public –

**Mr. Carpenter:** You can or you cannot. I will say this, it was stated the last time, Mr. Jones, and I know this provision is relatively new and parts of it are taking effect and parts are not. The Affordable Care Act is going to not differentiate between full-time and part-time and I think the idea was to bring it to compliance as much as possible. I know that act was brought forward after the Charter was enacted. I think that's what this Council would say. I was not present at the meeting, but I know my discussions with the Mayor were along those lines, coming into compliance with that.

**Mr. Jones:** At the meeting, Mr. DiCarlo stated – I'm just pointing from the minutes --

**Mr. Carpenter:** The minutes speak for themselves. He doesn't have to respond.

**Mr. DiCarlo:** A lot of it has to do with what Paul just stated, why I ended up voting yes.

**Mr. Jones:** According to the ACA, and I'm not aware of how many the Village has, but it says if you have fewer than 50 full-time equivalent employees, you are not subject to the employers share responsibilities parts of the law. Like I said, I don't know how many we have, we have quite a few part-time but then you follow their formula and if it comes out to 50 full-time, you have to offer it. If we don't have 50, why is it being offered? Also at the December 19 meeting, it states, "Mr. Kondik feels health care benefits are for full-time employees, and he does not see Council as full-time employees." I bring that up as further argument that you're not full-time. "Mr. Walter stated they had discussions about this before; some are for it, some are against it, and he would just like to bring it to a vote."

Now that comment and the fact that at the last meeting, Mr. Carpenter replied he and Mr. Molina had discussed this in June. If that's the fact, that you gentlemen had discussed this, especially in June, you had July, August, September, and October. October could've been your first reading. But yet you waited to have a special meeting and pass it by emergency. And the reply to that by Mr. Silversten was, "it was so you could enroll by the first of the year." You still had a lot of time to do that prior to having to have an emergency resolution. And again, as far as the Charter, it was brought up at a meeting stating not less than 120 days prior to the term; which December 19 would have been less than in that period of time. Again, at the last meeting Mr. Carpenter, when I asked him about the compensation, "Mr. Carpenter agreed it is not clear. He discussed this with Mr. Molina in June when they were first discussing the topic." Later "Mr. Carpenter feels it's not clear as to whether this is going to be determined as an internal raise or not." "Mayor Alonso stated", referring to the seminars they had gone to, "some say you should give them health care, some say it's pretty rare so it's not a definitive answer." With all of that we're not sure or it's not definitive, why didn't you wait until you had a definitive answer, you had fact and then moved ahead with it. Why did you have to rush into it at a special meeting and make it an emergency resolution? I guess that's a question you don't have to answer.

**Linda Radecky 2992 Pirates Cove**

Why don't you have to answer people of your community?

**Mr. Carpenter:** These are comments. I think if you meet these people in the streets, they will answer questions as best they can. These are comments from the public.

**Ms. Radecky:** I'm not up on all these things, but I get a bad feeling when you sit up there and go, we don't have to answer you. I don't even know all these facts they're talking about but I'm just talking about generally. Do you understand? You don't care. You just don't want to answer these people.

**Mr. Carpenter:** I understand what you're saying. These are not questions for me. I'm not a member of Council.

**Mayor Alonso:** He's the law director.

**Ms. Radecky:** So you're advising them not to answer.

**Mr. Carpenter:** I didn't say that.

**Mayor Alonso:** He's giving them their options.

**Mary Williams 10589 Florida Street**

I think they should be willing to answer because it was the members of the public who voted them into office. Why shouldn't they give a reason to why they did this? I mean, why can't they, why shouldn't they answer the public back when it was the public who put them into office?

**Mr. Carpenter:** From a legal standpoint, if there was going to be litigation or a claim filed with some government agency, I certainly wouldn't want a statement made that would come back and harm a member of Council or Council as a whole or the Village of Reminderville. Mr. Jones already had the statements

made by Mr. DiCarlo, Mr. Silversten, Mr. Walter, and Mr. Carpenter. They don't need to be explained any further, the minutes explain themselves. You are questioning a legal matter, matters that can be discussed in executive session. That's my job to protect the Village of Reminderville. There is certain speech that is protected.

**Mr. DiCarlo:** I think there is something I can answer. I want to clarify, our salaries went up only 20% and the reason is to keep up with State of Ohio requirements. We raised it the minimum.

**TABLED LEGISLATION:**

**RESOLUTION 67-2013:** A RESOLUTION IN SUPPORT OF ACCEPTING FOR THE DEDICATION CERTAIN PRIVATE STREETS LOCATED IN THE CROSSINGS SUBDIVISION PURSUANT TO THE PROCEDURE SET FORTH IN THE CODIFIED ORDINANCES OF THE VILLAGE OF REMINDERVILLE, SECTION 119.01 (f). 3<sup>rd</sup> reading.

**LEGISLATION:**

**RESOLUTION 08-2014:** A RESOLUTION APPOINTING DAVID J. RILEY AS SPECIAL COUNSEL TO REPRESENT AND ADVISE MAYOR ALONSO AND COUNCIL WITH REGARD TO PLANNING, FINANCING, AND CONSTRUCTION OF THE PROPOSED VILLAGE RECREATIONAL CENTER PROJECT. 1<sup>st</sup> Reading.

Mr. Walter moved to suspend the rules and pass by emergency. Mr. DiCarlo seconded. All in favor.

Mr. Walter moved to pass by emergency. Mr. DiCarlo seconded. All in favor.

**RESOLUTION 09-2014:** A RESOLUTION APPOINTING FRODE ANDERSON TO THE COMMUNICATIONS COMMITTEE. 1<sup>st</sup> Reading.

**RESOLUTION 10-2014:** A RESOLUTION TO AUTHORIZE AND DIRECT THE MAYOR TO SELL ONE USED POLICE CRUISER (2008 FORD CROWN VICTORIA, VIN 2FAPP71V38X138952) TO THE SOMERSET POLICE DEPARTMENT FOR THE SUM OF FIVE THOUSAND AND 00/100 DOLLARS (\$5,000.00). 1<sup>st</sup> Reading.

Mr. Walter moved to suspend the rules and pass by emergency. Mr. DiCarlo seconded. All in favor.

Mr. Walter moved to pass by emergency. Mr. DiCarlo seconded. All in favor.

**RESOLUTION 11-2014:** A RESOLUTION APPOINTING WALTER HOFFMANN TO THE VILLAGE OF REMINDERVILLE BOARD OF ZONING AND BUILDING APPEALS, AND DECLARING AN EMERGENCY. 1<sup>st</sup> Reading.

Mr. Walter moved to suspend the rules and pass by emergency. Mr. DiCarlo seconded. All in favor except Mr. Hoffmann who abstained.

Mr. Walter moved to pass by emergency. Mr. DiCarlo seconded. All in favor except Mr. Hoffmann who abstained.

**RESOLUTION 12-2014:** A RESOLUTION TO PURCHASE TWO (2) HANDHELD THERMAL CAMERAS FROM OPTIMUM ENERGY PRODUCTS, LTD. FOR A SUM NOT TO EXCEED TWENTY-TWO THOUSAND FOUR HUNDRED TWENTY-FIVE AND 26/100 DOLLARS (\$22,425.26), AND DECLARING AN EMERGENCY. 1<sup>st</sup> Reading.

**RESOLUTION 13-2014:** A RESOLUTION TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF A 2014 GMC SIERRA 1500 4WD CREW CAB/SHORT BED AND EQUIPMENT FOR USE IN THE FIRE DEPARTMENT FROM BOB ROSS BUICK FOR A SUM NOT TO EXCEED TWENTY-EIGHT THOUSAND THREE HUNDRED FIVE AND 87/100 DOLLARS (\$28,305.87). 1<sup>st</sup> Reading.

Mr. Walter moved to suspend the rules and pass by emergency. Mr. Molina seconded. All in favor.

Mr. Walter moved to pass by emergency. Mr. Molina seconded. All in favor.

**RESOLUTION 14-2014:** A RESOLUTION TO AUTHORIZE THE MAYOR TO ENTER INTO A POLICE CANINE PURCHASE AND SCHOOL TRAINING AGREEMENT WITH EXCEL K-9 SERVICES, INC., FOR A SUM NOT TO EXCEED ELEVEN THOUSAND EIGHT HUNDRED AND 00/100 DOLLARS (\$11,800.00). 1<sup>st</sup> Reading.

**RESOLUTION 15-2014:** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE AGREEMENT WITH TWO REMWAR COMPANY, LLC FOR THE PURCHASE OF A 3.1181 ACRE PARCEL OF REAL PROPERTY LOCATED AT THE CORNER OF GLENWOOD BOULEVARD AND LIBERTY ROAD FOR A SUM NOT TO EXCEED \$1,232,000.00. 1<sup>st</sup> Reading.

**RESOLUTION 16-2014:** A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE SUMMIT SOIL & WATER CONSERVATION DISTRICT, AND DECLARING AN EMERGENCY. 1<sup>st</sup> Reading.

Mr. Walter moved to suspend the rules and pass by emergency. Mr. DiCarlo seconded. All in favor.

Mr. Walter moved to pass by emergency. Mr. DiCarlo seconded. All in favor.

### **Old Business**

### **New Business**

Mr. Walter stated it is a real honor that Mayor Alonso is the head of the Mayor's Association.

Mr. Di Carlo moved to adjourn. Mr. Walter seconded. All in favor.  
Meeting adjourned at 8:40pm

Respectfully submitted,

Stacey Task, Clerk of Council  
Village of Reminderville

Date \_\_\_\_\_

Samuel L. Alonso, Mayor  
Village of Reminderville