

AGENDA
Jefferson Village Council
Order of Business

Date: Monday, February 6, 2023.

Regular Meeting 7:30 p.m.

Next Ordinance No. 23-(R/O) 3296

Meeting Called to Order by: Mayor Diehl

Pledge of Allegiance:

Moment of Silence

Opening Prayer:

Roll Call of Council: Damon, Dreier, Roderick, Sekanina, Szewczyk, Orvos

Corrections or Additions to the Agenda

Minutes: Addition/Correction

Motion to approve the Council Meeting Minutes of
October 3, 2022.

Motion: _____ Second: _____ Roll: _____

Motion to approve the Council Meeting Minutes of
January 17, 2023.

Motion: _____ Second: _____ Roll: _____

Motion to accept the Jefferson Cemetery Trustees
Meeting Minutes of December 19, 2022.

Motion: _____ Second: _____ Roll: _____

Motion to accept the Jefferson Emergency Rescue
District Meeting Minutes of December 19, 2022.

Motion: _____ Second: _____ Roll: _____

Visitor's Comments (five-minute limit per council rule #13)

None

DEPARTMENTS

Administrator Martuccio

Administrator's Report

Clerk/Treasurer Fisher

Payroll Report/Special Pay Report

October Month End

End of Month Summary	October	
Total Cash on Hand	\$1,000.00	
Andover Bank CD	\$145,957.01	
Huntington Bank 2257	\$45,448.98	
Star Ohio 26065	\$62,646.19	
Payroll Checking	\$809.43	
Andover/ First Common Bank Checking	\$3,273,723.07	
Ending Balance	\$3,529,584.68	Up 32.6. %
YTD Revenue	\$5,207,687.86	
YTD Expenses	\$4,187,275.46	
Outstanding Encumbrance	\$534,866.28	
Recreation Revenue YTD	\$109,431.76	Up 31.0 %
Senior Revenue YTD	\$17,281.65	Up 23.3 %
Income Tax Revenue YTD	\$1,593,836.59	Up 15.0 %
Sewer Fee Collections YTD	\$684,524.94	Up 5.3 %

Motion to accept the **List of Checks paid for October 2022** October 1, 2022 – October 31, 2022

Motion: _____ Second: _____ Roll: _____

November Month End

End of Month Summary	November	
Total Cash on Hand	\$1,000.00	
Andover Bank CD	\$145,957.01	
Huntington Bank 2257	\$45,448.98	
Star Ohio 26065	\$62,836.47	
Payroll Checking	\$331.54	
Andover/ First Common Bank Checking	\$3,395,309.80	
Ending Balance	\$3,650,883.80	Up 32.2%
YTD Revenue	\$5,685,969.55	
YTD Expenses	\$4,544,258.03	
Outstanding Encumbrance	\$470,884.67	
Recreation Revenue YTD	\$118,454.69	Up 29.6 %
Senior Revenue YTD	\$20,814.69	Up 25.5 %
Income Tax Revenue YTD	\$2,024,208.62	Up 9.2 %
Sewer Fee Collections YTD	\$868,345.47	Up 5.9 %

Motion to accept the **List of Checks paid for November 2022** November 1, 2022 – November 30, 2022

Motion: _____ Second: _____ Roll: _____

December Month End

End of Month Summary	December	
Total Cash on Hand	\$1,000.00	
Andover Bank CD	\$145,957.01	
Huntington Bank 2257	\$45,448.98	
Star Ohio 26065	\$63,060.68	
Payroll Checking	\$235.54	
Andover/ First Common Bank Checking	\$3,065,160.37	
Ending Balance	\$3,320,862.58	Up 34.5. %
YTD Revenue	\$6,275,540.31	
YTD Expenses	\$5,463,850.01	
Outstanding Encumbrance	\$199,294.12	
Recreation Revenue YTD	\$128,126.82	Up 29.6 %
Senior Revenue YTD	\$26,302.96	UP 5.9 %
Income Tax Revenue YTD	\$2,169,230.15	Up 9.4 %
Sewer Fee Collections YTD	\$876,030.39	Up 5.5 %

Motion to accept the **List of Checks paid for December 2022** December 1, 2022 – December 31, 2022

Motion: _____ Second: _____ Roll: _____

Chief Mackensen

FYI: Memo

Chief Lachey

No Report

COMMITTEE REPORTS

Building and Lands
Damon/Drier

No Report

Forestry
Orvos/Roderick

No Report

Finance
Sekanina/Damon

Motion for the Second Reading of Resolution No. 22-R-3295

A Resolution authorizing the Village Mayor to enter into a professional services and fee agreement with attorney Jason L. Fairchild and Andrews & Pontius LLC pursuant to Village of Jefferson Codified Ordinance sections 234.01 and 234.03

Motion: _____ Second: _____ Roll: _____

Motion for the First Reading of Resolution No. 23-R-3296

A Resolution enacting and adopting amended and updated code of Ordinances of the Village of Jefferson, Ohio, published by American Legal Publishing Corporation, and copyrighted 2021.

Motion: _____ Second: _____ Roll: _____

Recreation

Roderick/ Sekanina

Motion to accept the Civic Groups for 2023 as of February 6, 2023.

Motion: _____ Second: _____ Roll: _____

2023 CIVIC GROUP

Ashtabula County Auditor's Office

Ashtabula County Bar Association*

Ashtabula County Beekeepers Assoc.*

Ashtabula County Board of Realtors*

Ashtabula County Medical Center

Ashtabula County Recorder

Covered Bridge Festival*

FOP

Girl Scout Troop #80005

Helping Hands Farm Animal Rescue*

Jefferson Chamber of Commerce

Jefferson Community Development Corporation*

Jefferson Historical Society*

Jefferson Youth Football League*

Leadership Ashtabula County Inc.

OSU Extension Ashtabula

Pymatuning Area Chamber of Commerce

Rotary Club of Jefferson

Safety

Szewczyk /Orvos

Motion to accept the sick time balance for Joseph Schor in the amount of 991.67 hours from the City of Conneaut.

Motion: _____ Second: _____ Roll: _____

Motion to accept the resignation of Aaron Dumperth as Deputy Chief of Police from the Jefferson Police Department

Effective February 3, 2023.

Motion: _____ Second: _____ Roll: _____

Motion to accept the resignation of Brandon Nelling as Sergeant from the Jefferson Police Department Effective February 6, 2023.

Motion: _____ Second: _____ Roll: _____

Motion to approve the Mayors Recommendation to hire Ryan A. Maki to the Full -Time Detective /Patrolman position at the Police Department at the rate of pay per the Wage Ordinance pending his physical and background check effective February 6, 2023.

Motion: _____ Second: _____ Roll: _____

Motion to accept the Mayor's recommendation to hire. William David Dye to the fulltime Detective/Patrolman position. at the rate pay per the Wage Ordinance upon his completion of his background check and physical with the Ohio Police & Fire effective February 14, 2023.

Motion: _____ Second: _____ Roll: _____

Motion to go into executive session to consider the appointment of a part-time officer with action to be taken afterwards.

Motion: _____ Second: _____ Roll: _____

Motion to approve Aaron Dumperth to the Part- Time Class B (Road Qualified) position per the wage Ordinance.

Motion: _____ Second: _____ Roll: _____

Utilities/Wastewater Treatment/
Service
Drier/Szewczyk

No Report

Mayor

No Report

**OLD BUSINESS/
NEW BUSINESS**

No Report

Visitor's Comments (five-minute limit per council rule #13)
CORRESPONDENCE

MEETINGS

SAFETY COMMITTEE MEETING

February 6, 2022

6:30 p.m.

Town Hall

Topic: Discussion Personal Positions

FINANCE COMMITTEE MEETING

February 6, 2023

7:00 p.m.

Town Hall

Topic: Wage Ordinance

Adjourn:

Motion: _____ Second: _____ Roll: _____
Time: _____

Broadcast Report

P 1
02/04/2023 01:45
Serial No. A8KN011012922
TC: 162556

Addressee	Start Time	Time	Prints	Result	Note
gazette	02-04 01:36	00:00:57	007/007	OK	
star beacon	02-04 01:37	00:02:08	007/007	OK	
police	02-04 01:40	00:01:06	007/007	OK	
sheriff	02-04 01:41	00:03:50	007/007	OK	

Note

TMR:Timer TX, POL:Polling, ORG:Original Size Setting, FME:Frame Erase TX,
DPS:Page Separation TX, RIX:Mixed Original TX, CALL:Manual TX, CSRC:CSRC,
FWD:Forward, PC:PC-FAX, BND:Double-Sided Binding Direction, SP:Special Original,
FCODE:F-code, RTX:Re-TX, RLY:Relay, MBX:Confidential, BUL:Bulletin, SIP:SIP Fax,
IPADR:IP Address Fax, I-FAX:Internet Fax

Result

OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
Refuse: Receipt Refused, Busy: Busy, M-Full:Memory Full, LOUR:Receiving length over,
POUR:Receiving page over, FIL:File Error, DC:Decode Error, MDN:MDN Response Error,
DSN:DSN Response Error, PRINT:Compulsory Memory Document Print,
DEL:Compulsory Memory Document Delete, SEND:Compulsory Memory Document Send.

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Opening Prayer:

Roll Call of Council: Damon, Dreier, Roderick, Sekanina, Szewczyk, Orvos

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Motion: _____ Second: _____ Roll: _____

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Motion: _____ Second: _____ Roll: _____

Visitor's Comments (five-minute limit per council rule #13)

None

**Unofficial Minutes of the Village of Jefferson. Minutes will be presented to
Council at the February 6, 2023, Council Meeting**

**VILLAGE OF JEFFERSON
COUNCIL MEETING**

October 3, 2022

Meeting called to order by Mayor Diehl.

Pledge of Allegiance:

Moment of Silence:

Opening Prayer: Deacon Mike St Joseph Church

Roll call of Council Damon, Dreier, Roderick, Sekanina, Szewczyk, Orvos.

Corrections or Additions to the Agenda:

None

Minutes: Approval/Addition/Correction

Motion by Councilperson Szewczyk to approve the Council Meeting Minutes of
September 19, 2022.

2nd

Roll: All yea, motion carried

Motion by Councilperson Szewczyk to approve the Finance Committee Meeting
Minutes of September 19, 2022.

2nd

Roll: All yea, motion carried

Motion by Councilperson Szewczyk to accept the Jefferson Joint Cemetery Meeting Minutes of August 15, 2022.

2nd

Roll: All yea, motion carried

Visitor's Comments (five-minute limit per council rule #13)

Visitor's Comments

Jean Dutton speaking on behalf of the senior citizens in Jefferson.

Also present:

Stephanie Wessell of the Gazette, Jacob Morgan, Chris Mackensen, Diana Mackensen, Sara Mackensen, John and Carol Allen, Pat Bradek, John Perrotti, Chip Ashcraft, Kay Ann Brabender, Cindy Meyer, Aaron Dumperth, Gregory Korabek, Chip Ashcraft and Deacon Mike of St. Joseph Church.

Departments

Administrator's Report

Administrator Martuccio was on vacation he just updated Council that the Village employee did a great job while he was gone.

Motion by Councilperson Szewczyk to accept Administrator Martuccio's Memo regarding comp time for work done on Falcon Way.

2nd

Roll: All yea, motion carried

Clerk /Treasurer Fisher

Payroll Report/Special Pay Report

June Month End

End of Month Summary	June	
Total Cash on Hand	\$1,000.00	
Andover Bank CD	\$145,957.01	
Huntington Bank 2257	\$45,448.98	
Star Ohio 26065	\$62,148.23	
Payroll Checking	\$181.77	
Andover/ First Common Bank Checking	\$3,055,606.68	
Ending Balance	\$3,310,342.67	Up 35.6. %
YTD Revenue	\$3,073,800.99	
YTD Expenses	\$2,272,144.20	
Outstanding Encumbrance	\$383,598.92	
Recreation Revenue YTD	\$69,959.20	Up 26.1 %
Senior Revenue YTD	\$8,870.47	Up 21.8 %
Income Tax Revenue YTD	\$1,208,609.68	Up 12.3 %
Sewer Fee Collections YTD	\$431,586.20	Up 6.6 %

Motion by Councilperson Szewczyk accept the **List of Checks paid for June 2022** June 1, 2022 – June 30, 2022

2nd

Roll: All yea, motion carried

July Month End

End of Month Summary	July	
Total Cash on Hand	\$1,000.00	
Andover Bank CD	\$145,957.01	
Huntington Bank 2257	\$45,448.98	
Star Ohio 26065	\$62,074.96	
Payroll Checking	\$117.61	
Andover/ First Common Bank Checking	\$3,136,108.45	
Ending Balance	\$3,390,707.01	Up 38.9. %
YTD Revenue	\$3,727,257.16	
YTD Expenses	\$2,845,075.22	
Outstanding Encumbrance	\$471,216.85	

Recreation Revenue YTD	\$75,208.82	Up 58.32 %
Senior Revenue YTD	\$11,556.07	Up 126.2 %
Income Tax Revenue YTD	\$1,219,430.17	Up 10.3 %
Sewer Fee Collections YTD	\$529,841.68	Up 5.6 %

Motion by Councilperson Szewczyk accept the **List of Checks paid for July 2022** July 1, 2022 – July 31, 2022
2nd

Roll: All yea, motion carried

August Month End

End of Month Summary	August	
Total Cash on Hand	\$1,000.00	
Andover Bank CD	\$145,957.01	
Huntington Bank 2257	\$45,448.98	
Star Ohio 26065	\$62,235.77	
Payroll Checking	\$0.00	
Andover/ First Common Bank Checking	\$3,351,793.86	
Ending Balance	\$3,606,435.62	Up 45.3 %
YTD Revenue	\$4,307,394.12	
YTD Expenses	\$3,209,644.38	
Outstanding Encumbrance	\$548,171.22	
Recreation Revenue YTD	\$88,256.25	Up 34.4 %
Senior Revenue YTD	\$13,637.75	Up 24.0 %
Income Tax Revenue YTD	\$1,335,813.37	Up 10.6 %
Sewer Fee Collections YTD	\$543,732.25	Up 5.7 %

Motion by Councilperson Damon accept the **List of Checks**
paid for August 2022 August 1, 2022 – August 31, 2022
2nd

Roll: All yea, motion carried

Chief Mackensen

FYI: Monthly Report September

Chief Lachey

No Report

COMMITTEE REPORTS

Building and Lands

Motion by Councilperson Damon, for the Third Reading of Ordinance No.
22- O- _3275 _
2nd

Roll: All yea, motion carried

Motion for the Third Reading of Ordinance No. 22-O- 3275

An Ordinance Amending Chapter 1246.06 of the Code of Ordinances of the
Village of Jefferson, Ohio pertaining to the adoption of a permissive use in the I
-Industrial District.

Motion Councilperson Damon to Adopt Ordinance No. 22-O- __3275____
2nd

Roll: All yea, motion carried

Motion by Councilperson Damon, for the Third Reading of Ordinance No.
22- O- _3276 _
2nd

Roll: All yea, motion carried

Motion for the Third Reading of Ordinance No. 22-O- 3276

An Ordinance adding Chapter 1264 to the Code of Ordinances of the Village of Jefferson, Ohio, to provide for the Regulations Governing Short-Term Rentals

Motion Councilperson Damon to Adopt Ordinance No. 22-O-__3276__
2nd

Roll: All yea, motion carried

Motion by Councilperson Damon, for the Third Reading of Ordinance No.
22- O- _3277 _
2nd

Roll: All yea, motion carried

Motion for the Third Reading of Ordinance No. 22-O- 3277

An Ordinance Amending Chapter 1246.02 of the Code of Ordinances of the Village of Jefferson, Ohio pertaining to the adoption of an additional permissive use in the R-1 Single Family Residential District for Short-Term Rentals

Motion Councilperson Damon to Adopt Ordinance No. 22-O-__3277__
2nd

Roll: All yea, motion carried

Motion by Councilperson Damon, for the Third Reading of Ordinance No.
22- O- _3278 _
2nd

Roll: All yea, motion carried

Motion for the Third Reading of Ordinance No. 22-O- 3278

An Ordinance Amending Chapter 1240.07 of the Code of Ordinances of the Village of Jefferson, Ohio pertaining to the adoption of a permissive use in the R-1 Single Family Residential District for Short-Term Rentals

Motion Councilperson Damon to Adopt Ordinance No. 22-O-__3278__
2nd

Roll: All yea, motion carried

Forestry

No report

Finance

Motion by Councilperson Sekanina, for the Second Reading of Resolution No.

22- R- _3282 _

2nd

Roll: All yea, motion carried

Motion for the Second Reading of Resolution No. 22-R- 3282

A Resolution Accepting the Amount and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor.

Motion by Councilperson Sekanina, for the First Reading of Ordinance No.

22- O- _3285 _

2nd

Roll: All yea, motion carried

Motion for the First Reading of Amended Ordinance No. 22-O- 3285

An Ordinance for the Appropriations for current expenses and other expenditures of the Village of Jefferson, Ohio during fiscal year ending December 31, 2022.

Recreation

Motion by Councilperson Orvos to accept the Administrators Recommendation to take Katie Sweeney off her six-month probation at the Recreation Department and increase her wage per the Wage Ordinance effective the next pay period October 21, 2022.

2nd

Roll: All yea, motion carried

FYI: Nightmare at JCRC

FYI: Christmas Drop and Shop

FYI: Senior Newsletter

Safety

Motion by Councilperson Szewczyk, for the Second Reading of Resolution No. 22- R- _3283 _

2nd

Roll: All yea, motion carried

Motion for the First Reading of Resolution No. 22-R- 3283

A Resolution authorizing the Village Administrator and Village Clerk/Treasurer to enter into a Fire Service Agreement with the Board of Township Trustees of Jefferson Township, Ohio to provide fire protection services to Jefferson Township, Ohio from January 1, 2023, through December 31, 2026.

Motion by Councilperson Szewczyk to accept the Deputy Chief's Recommendation to move Greg Lachey to full-time status as he has completed one year at the Jefferson Police Department effective the next pay period August 22, 2022.

2nd

Roll: All yea, motion carried

Motion to accept the resignation of Jeremiah Polz from the Village of Jefferson Police Department effective September 30, 2022.

2nd

Roll: All yea, motion carried

Motion by Councilperson Szewczyk to accept Christopher Mackensen's sick time from the City of Conneaut. The Balance from Conneaut is 552.579.

2nd

Roll: All yea, motion carried

Utilities/Wastewater Treatment/ Service

Motion by Councilperson Dreier for the Second Reading of Resolution No. 22- R- _3284 _

2nd

Roll: All yea, motion carried

Motion for the First Reading of Ordinance No. 22-R- 3284

Resolution declaring a 2006 International Lowpro Dump Truck owned by the Village of Jefferson to be no longer needed for municipal purposes and authorizing the sale to the highest and best bidder as is.

Motion by Councilperson Dreier to accept the Administrators Recommendation to take Elliott Boncimino off his six-month probation at the Streets Department and increase his wage per the Wage Ordinance effective the next pay period October 21, 2022.

2nd

Roll: All yea, motion carried

Motion by Councilperson Dreier for the First Reading of Ordinance No. 22- O- _3287 _

2nd

Roll: All yea, motion carried

Motion for the First Reading of Ordinance No. 22-O-3287

An Ordinance accepting woodlands way as a dedicated Street within the Village of Jefferson.

Mayor

No Report

OLD BUSINESS/NEW BUSINESS

Motion by Councilperson Dreier to publicly reprimand Councilman, John Szewczyk for violation of Council Rule 39 (a).

2nd

Roll: All yea, motion carried

220.01 Rules of Council

Rule 39- Disclosure of Information Presented in Executive Session.

(a) Any information presented to a member of Council in an executive session shall remain confidential and not be disclosed by a member of Council unless the exact same information is presented at the public portion of a Council meeting or at some other time.

Council person Dreier told Council the violation occurred on April 18, 2022, when Councilman, John Szewczyk added a memorandum that he had written to be added to the agenda. This was read out loud during our regular scheduled Council meeting. In this memo were items that had been discussed by fellow Council members and Mayor Brian Diehl during an executive session. In adding the memorandum to the agenda and reading it out loud it became a public record.

On September 19, 2022, a concern was raised by Mayor Brian Diehl during Another executive session. I reached out to the mayor to inquire about this concern that was brought up and to gain more insight which led me to the violation.

As Council we hold the right to enter into executive session to discuss serious matters privately. Members of Council should feel comfortable to speak freely on the matter at hand without fear of it being made public.

As members of Council, we need to respect the importance of keeping the matters discussed in an execution session confidential. If we fail to acknowledge the importance of this infraction, to executive session rules, then what is the purpose, of going into an executive session in the future?

Councilperson Szewczyk asked for clarification on his reprimand, since Councilperson Dreier mentioned that this was mentioned by Mayor Diehl in another executive session and actions are now being taken against me because it was discussed in another executive session earlier in the year. How are we being able to act now? When we went into executive session with no action being taken. Just questioning the procedural because Councilperson Drier said this is a result of something I said during Executive Session and months later we are acting on something said earlier this year.

Solicitor Fairchild told Council whenever Council goes without action being taken afterwards with respect to what was being discussed. With whatever the stated purpose of going into the executive session was for. Or they go into Executive

Session and are going to take action about that subject upon which they went into executive session about they have to announce that at the beginning of when they go into Executive Session. I think this is a separate action because this is a motion by counsel pursuant to the rules of counsel under Council Rule 16.

Councilperson Szewczyk questioned that this is being brought up now. Why did you not come to me and question it then. Instead, over six months later you said it was brought up another executive session by Mayor Diehl. And now you want to public humiliate me for something that long ago. Because the Mayor discussed what I said in another executive session.

Council Szewczyk asked why did you not call me about what you are bringing up tonight or the concern or ask me anything. I'm saying I don't remember what was said in executive session specifically it could be it was said outside the public and I wrote that in my memo. Do we know the what is said was from executive session only. I've tried to be very cautious. Since legal counsel spoke to us about executive sessions.

Councilperson Szewczyk stated the memo said it appears that Councilman Orvos and I are obstacles to how you'd like JPD to look in the future. Even stated the future placement of the chief regardless as deficient in abilities of the current leadership in the department and by the Mayors owns words said he was not that smart. So if I said that from an Executive Session, then that you're confirming that that is what was said in executive session is public now because it was said outside of executive session.

Councilperson Szewczyk stated that the subject matter in executive session was not me. Yet the personal attacks to discredit me and cast out doubt about me by saying awful things. That's not village business. There's no discipline. That's a personal attack on me. And if these things are true, then a personal attack on Councilperson Orvos and myself about us, the Mayor is in violation of our Council Rule 15 order of decorum. That's not supposed to be done.

Mayor Diehl spoke to Council saying if I was going to proceed in this manner, I would have done it six months ago. What was discussed in the last executive session at the last council meeting prompted Councilperson Dreier to ask me the questions. There are three specific statements in that memo that were very much said during the course of the Executive Session, and one of them were wildly out of context. And there was a whole discussion that went around there but the unfortunate part is there's nothing even the one you just brought up. There was a

whole discussion after that which you acknowledged. But there's nothing I can say, to cast light on what those were because I will hold the confidence of that executive session information to myself. I took an action that I could take last time but, you know, the rest of what goes from here is up to council. But those things were part of part of Executive Session meetings, and they are wildly out of context from what was actually said and what was discussed. And we have maintained for years. In fact, last year, we had some good discussions about concerns about information being released, which I don't think turned out to be true. But the confidence that goes along with those executive sessions and the ability to have an open discussion is very important for the purposes of the Executive Session, and only for the purposes of the executive session as defined by revised code. I will continue to make the action that I did last time, I have no other input. council can take what action they want.

Councilperson Szewczyk again asked if there was a problem back then why are we waiting six months to bring it up now?

Solicitor Fairchild told Council he was contacted by Councilman Dreier and asked a procedural question about the issue and looking at Council Rule 16 of Council Rules. It discusses delinquency and disorderly conduct of Council, and it lays out their four different sub paragraphs A through D and it says under a council may punish or expel any member for disorderly conduct or a violation of these rules. So obviously a public reprimand is I would consider the lowest form of any type of punishment certainly is an expulsion. And then it also says under see that no expulsion, not specifically referencing expulsion only no expulsion shall take place until delinquent member has been notified of the charge against him and has had an opportunity to be heard the motion before Council doesn't involve an expulsion. So, there is really no requirement about getting this advance notice or having an opportunity to be heard but because it is a motion under the Robert's Rules of Order. That was the second and now it's been opened up for debate for council members to debate as to whether or not they were present during these executive sessions. They can ascertain whether or not they believe the rule had been violated or not. And then under subparagraph D. It specifically states with respect to expulsion, only requiring a concurrence of two thirds of all the members of that are elected, and I would indicate that I also was contacted by Councilman Szewczyk last week after the email was sent. Again, it was a procedural issue. And one of the questions asked was with respect to what if there were a tie vote on this motion that's been raised? So I might as well address that issue now for councils so that you guys know that whenever there's a vote taken, specifically, the rules. Rule 17 of rules of council talk about voting, and it says under subparagraph D unless

otherwise stated and these roles are the Ohio Revised Code, all motions, ordinances, and resolutions must pass by majority vote. Those members of council who are present at the meeting at which the vote is called. So this is a motion that's on the floor, and if there is a tie vote under the rolls it's well under Ohio Revised Code 730 3.24. It specifically says that the mayor shall be the president of the legislative authority and shall preside at all regular and special meetings thereof but shall have no vote except in the case of a tie. So, because rule 17 D says all motions are to be passed by majority vote unless stated otherwise in the rules and or revised code and a revised code gives the majority of authority to pass the time vote if there is one on any motions. So, I wanted to get that out there, but I wanted to bring up the fact that you did contact me, Councilman Council Szewczyk on I think it was Friday, just so that there's full disclosure.

Councilperson Szewczyk asked in what you said the mayor can break a tie if there's a tie.

Solicitor Fairchild told Council under Rule 17 voting it says unless otherwise stated in the rules of the revised code. It's a majority vote that all motions must pass by majority vote and on the revised code it specifically gives the mayor the power to cast the tying vote. So now with expulsion, the rules specifically says it has to be two thirds vote for any other type of punishment or public reprimand or whatever, they would also have said that but all it says is expulsion is two thirds.

Councilperson Szewczyk asked is this just an attempt to silence me now because of my questions I asked if it is this is walking a dangerous line to federal court. which some have already danced with the wolves which the devil in freedom of speech because it comes down to understand about executive session. This were personal attacks which had nothing to do with business as hiring, firing discipline or anything else is this an attempt to replace me know. Well, if this is this a personal attach on me.

Councilperson Drier told Councilperson Szewczyk this is not a personal attack.

Councilperson Roderick told Council, we have guidelines and rules. And regulations that we have to adhere to. And in my opinion, this was a violation of our rules. And it was a big violation because how are we? How are we supposed to know that you're going to write a memo and speak about something regarding Executive Session, how do we know that we can speak freely in there?

Councilperson Szewczyk told Council I want is let's get to Village business. Stop playing high school politics or revenge politics. Let's get the Village business going forward. Not divide Council any further. I like having an open debate. I can listen to Karen I can listen to you Katie I can listen to Kevin I can listen I can listen to anyone here. I don't have to agree with you. We need to start moving forward instead of going backwards. Got one last thing, an essence of a leader. A true leader has the confidence to stand up alone. The courage to make tough decisions and the compassion to listen to the needs of others. He does not set out to be a leader but becomes one by the quality of his actions and integrity of his intent. My integrity and my intent was never to put Executive Session out there that was never my intent. You could tell me something and I'll go to the grave with it. Because it's no one else's business. And that's everyone here. And that's how I feel. Councils got to do what they want to do. That's all I have to say.

Mayor Diehl asked for the vote.

Solicitor Fairchild told Council a public reprimand is, is basically a slap on the wrist, but it's a political slap on the wrist that if council votes affirmative on the motion, then that's what it is. It's a matter of public record, that council voted formative that they felt that Councilman Szewczyk violated the Council Rules. and he was publicly reprimanded. That's it. It's not an expulsion

Damon yea, Dreier yea, Roderick yea, Sekanina yea, Szewczyk nay, Orvos nay. Roll four yea's and two nay's motion passes.

Visitor's Comments (five-minute limit per council rule #13)

None

CORRESPONDENCE

None

MEETINGS

Safety Committee Meeting

Monday October 3, 2022, 6:00 p.m.

Topic:

1. Police Dispatch Contract
2. Personal
3. Policy and Procedures

ADJOURN

Motion by Councilperson Szewczyk, to adjourn the Council Meeting.
2nd

Roll: All yea, motion carried.

Meeting adjourned at 8:30 p.m.

Submitted by,

Patricia A Fisher, Clerk of Council

**Unofficial Minutes of the Village of Jefferson. Minutes will be presented to
Council at the February 6, 2023, Council Meeting**

**VILLAGE OF JEFFERSON
COUNCIL MEETING**

January 17, 2023

Meeting called to order by Mayor Diehl.

Pledge of Allegiance:

Moment of Silence:

Opening Prayer: Lizzie Weed of the Jefferson United Methodist Church

Roll call of Council Damon, Dreier-absent, Roderick, Sekanina, Szewczyk,
Orvos.

Corrections or Additions to the Agenda:

None

Minutes: Approval/Addition/Correction

Motion by Councilperson Szewczyk to approve the Council Meeting
Minutes of January 3, 2022.

2nd

Roll: All yea, motion carried

Visitor's Comments (five-minute limit per council rule #13)

Visitor's Comments

None

Also present:

Gabriel Mc Vell of the Gazette, Chris Mackensen, Chip Ashcraft, and Lizzie Weed of the Jefferson United Methodist Church..

Departments

Administrator's Report

Village Administrator's report for the period ending January 17, 2023.

Projects update:

Project		Status	Vendor	Grant/Loan	Total Cost
ACTIVE PROJECTS	Project #				
WWTP Renovations	OPWC – R37	Submitted to DOD/EPA Resubmitting to OPWC – R37	CT Consulting	Engineering grant \$90,000	\$1,250,000
Market street & surroundings – Sewer lining	OPWC – R35	In progress	CT Consulting	\$198,000 Grant \$132,000 Loan	\$550,000
Falcon Way Reconstruction	OPWC – R36	Submitted to OPWC – R37 Completed curve correction	CT Consulting	\$180,000 Grant \$50,000 Loan	\$460,000
E. Jefferson St - Reconstruction	OPWC – R36	Moved to spring 2023	Smolen Eng.	49,950 Grant 49,950 Loan	\$199,900
Repair two steel culverts on Popular Street	OPWC Round 32 - ODOT	In progress	Smolen Eng. Working on drawings	100% Grant	TBD Over \$298,454
Sewer cleaning /TV/Lining West Side Town	OPWC round 34	Completed – Have small area to finish up	CT Consulting	\$198,000 Grant \$132,000 Loan	\$550,000

Street Dept.

- Operating normal tasks.
- Our crews have spent some time trimming along some of our ditches and sidewalks.
- All equipment is ready for snow plowing roads and sidewalks.
- Bill's pickup needed some repairs. We are starting to look at a replacement.

Recreation Department:

- Operating normally.

Wastewater Treatment Plant:

- Plant operations are running at fully acceptable levels.
- The Market Street and Sundry sewer lining project is still in progress.

Police:

Fire:

Other Items:

- Aqua's water main replacement project on South Chestnut is underway. Bentley Excavating has started work on the south end of town and will be advancing north in the weeks to come.
- Aqua is aware of our paving project for E. Jefferson St. I have asked for any waterline work in the roadway to be completed before we pave.
- We are in the process of cleaning up in several departments. We are also looking at options for selling our surplus vehicles. We should have a list of no longer needed items that will be submitted to council in the near future.
- We continue to ask all departments to be mindful of all non-essential expenses and we are trying to keep overtime to a minimum.

Properties with Code violations:

Address	Violation Type	Status	Comments
82 E Walnut	Junk Vehicles		2 Junk vehicles have been removed

Clerk /Treasurer Fisher

Payroll Report/Special Pay Report

Schedule B Inside Millage/Levies Outside 10 Mill Limitation, Exclusive of Debt Levies

Chief Mackensen

No Report

Chief Lachey

No Report

COMMITTEE REPORTS

Building and Lands

No Report

Forestry

No report

Finance

Motion by Councilperson Sekanina for the Third Reading of Ordinance No. 22-O- 3293 _
2nd

Roll: All yea, motion carried

Motion for the Second Reading of Ordinance No. 22-O-3293

An Ordinance setting forth the pay for Salaried, Hourly, and Part-Time Employees of the Village of Jefferson, Ohio.

Motion by Councilperson Sekanina to Adopt Ordinance No. 2022-O-3293

Motion by Councilperson Sekanina for the First Reading of Resolution No. 22-R- 3295 _
2nd

Roll: All yea, motion carried

Motion for the First Reading of Resolution No. 22-R-3295

A Resolution authorizing the Village Mayor to enter into a professional service.

and fee agreement with attorney Jason L. Fairchild and Andrews & Pontius LLC pursuant to Village of Jefferson Codified Ordinance sections 234.01 and 234.03.

Motion by Councilperson Sekanina to accept the agreement with the Ashtabula County Board Of Commissioners Emergency Management Services.

2nd

Roll: All yea, motion carried

Recreation

No Report

Safety

No Report

Utilities/Wastewater Treatment/ Service

No Report

Mayor

Mayor Diehl asked Council to look at the Economic Development of the Village of Jeffers. Diehl suggested that the Economic Development Committee re convene again get some ideas to help bring new businesses and develop Jefferson Village.

OLD BUSINESS/NEW BUSINESS

FYI Andrews & Pontius LLC

Visitor's Comments (five-minute limit per council rule #13)

None

CORRESPONDENCE

None

MEETINGS

None

ADJOURN

Motion by Councilperson Szewczyk, to adjourn the Council Meeting.
2nd

Roll: All yea, motion carried.

Meeting adjourned at 7:43 p.m.

Submitted by,

Patricia A Fisher, Clerk of Council