

Village of Mapleton
SPECIAL BOARD MEETING MINUTES (approved)

Thursday, October 4, 2018 at 6:00 p.m.

Meeting to be recorded

PLEASE SILENCE YOUR CELL PHONES!

1) Roll Call :

Carl Bishop, Mayor; Clerk, Pat Briggs; Mike Beecham, Mark Brining, Mark Foust, Liz Rensch, Harvey Stidham. (Rodney Smith came in at 6:53 pm at the start of the Closed Session)

2) Pledge of Allegiance

3) Call to Order at 6:09 pm by Mayor Bishop

4) Public Comments

Please keep comments to three minutes. Review the agenda before you speak. This is the ONLY opportunity you will be given to speak during the meeting. There will be no discussion by audience members during the business meeting unless there is an emergency situation.

Alice Dailey – Conflict with auditor. Alice stated that she felt it would be a conflict for Gorenz and Associates Ltd. to have the same auditor working at both the village and at Bartonville Grade School. The clerk stated she had contacted Gorenz about the possibility of a conflict and had not heard back at the time of the meeting.

5) Addressing the Board

a) Elias, Meginness & Seghetti, P.C.

Mike Seghetti talked with the board about representing the Village as counsel. Liz Rensch asked if he would set a cap and he said he hadn't in the past but would work with us. He explained that his charge is \$160/hr., others in the firm charge \$155 and others at \$125/hr. If stated that if costs are getting out of control we could come back and look at it again.

Clerk stated she had made calls to other villages and cities he represents and everyone was glowing in their reports. Liz stated that she doesn't understand TIF but the villages he represents said he was very good at it. The Village does have a TIF district, which includes Lonza, Ingredion. TIF stands for tax increment financing for economic development.

Mike Beecham explained that we would set up a contact person and that person would be the point of contact. He asked Mr. Seghetti if he felt obligated to show up at meetings and he replied that he goes to meetings in Chillicothe and has contact with the Mayor, Office Manager and aldermen.

In Bellevue, his associate, Lane goes to the meetings. In Bellevue talks with the mayor but doesn't talk to department heads. He doesn't attend meetings regularly but goes occasionally. He also said they don't go to the meetings but he talks with the mayor, city clerk and one primary alderman who is the Street Superintendent and the Office Manager. With other municipalities it is just TIF district work.

Harvey Stidham asked about average monthly charges for Bellevue and Mike Seghetti stated it was \$2,000 - \$3,000 but they have a lot activity in Bellevue that we don't have. They are very active with dealing with problem properties. They have a Building Inspector to inspect Property.

Mike explained that the previous attorney was charging \$600 per meeting and additional charges for everything we asked. Mike Seghetti replied that meetings is the time he really talks with the board and gets to know. He also said that evenings are better for him and he tries to be reasonable about travel time. He is amenable to only coming when notified but things can always come up that weren't planned.

Liz stated that the previous attorney was always quoting state statutes but couldn't back up what he was saying. Mike Seghetti said he is a state statute believer. He is very familiar with the code but might have to check on something occasionally.

Mike Beecham asked if he would you have any problem expressing if someone is wrong. He represents the village so he will tell us what he thinks besides the legal answer.

Liz asked how long he has been a municipal attorney. He said he has been a municipal attorney for 25 years.

Liz asked if he would be interested in working with the village. He explained that the Municipal Code is set up giving some authority to the board and some to the mayor. If you do that it works well. If you don't, it is unpleasant and difficult to get anything done. If the goal is to try to work together and get things done then he would be interested. Mike Beecham asked what his response would be a representative of the village being above the ordinances. He stated that we can't force ordinances on some people and not others. It applies to everyone. Liz stated that in sixteen years this is the worst two years that we have ever had.

Attorney Seghetti stated that he is new to the situation and can't tell us who is right and who is wrong. It is something we need work through no matter who is our attorney. He has had a lot of experience telling people what they don't want to hear.

Harvey stated that for a small city to enforce ordinances it is very expensive to enforce ordinances and we have to choose our battles. Attorney Seghetti stated that some people just won't take care of their property so you do the best you can. You work with them. You don't always get results by suing people. Just give them time and let them make progress.

Carl – meeting was forced on him. He was going form a committee. Finance pushed it on him. Now you can see what he is dealing with. They can't do nothing unless he appoints. He's telling you to get along. First thing they want to go with me. There are some business that have been here for 10-15 years on residential property. They are grandfathered in and it is going to cost too much to go after them. He will give advice.

Liz pre-annexing. Dunlap did the same thing. Has never had it come up with the municipalities he represents but everyone is.

Attorney Seghetti said that the appointment is the mayor's to make but the board pays the bills, but can't give the board the right to make an appointment. He stated he would not want to work for the village if the mayor was not willing to appoint him and that he doesn't have a lot of patience with the bickering.

b) Elliff, Dancey & Bosich, P.C. (DECLINED) (letter on file)

- 6) The mayor is going to make up a search committee to find other attorneys to interview. He was asked who would be on the search committee and he indicated the clerk, himself and Mark Foust and Mark Brining. The Clerk stated she could not be on a committee as she was not a board member. There was discussion about the fact that anyone he would put on the committee was present at the meeting so why was a search committee needed? He insisted that he was going to create a search committee and to put it on the Agenda for next meeting.

Mike Beecham made a motion to go into executive session. Mark Brining seconded.
VOTES: Yes – Mike Beecham, Mark Brining, Mark Foust, Liz Rensch and Harvey Stidham. Rodney Smith was absent. No – No's. Motion Carried.

d) EXECUTIVE SESSION pursuant to Section 2(c)(1) of the Open Meetings Act for purposes of discussing the employment, discipline, performance, or dismissal of specific employees of the Village.

Returned to Open Session at 7:04 PM

Roll Call: Mike Beecham, Mark Brining, Mark Foust, Liz Rensch, Rodney Smith and Harvey Stidham. Mayor Carl Bishop and Clerk, Pat Briggs in attendance.

- e) **Hiring an attorney** - Mark Brining motioned we hire the firm of Elias, Meghinnes & Seghetti, PC & Mike Beecham seconded. Votes: Yes – Mike Beecham, Mark Brining, Mark Foust, Liz Rench, Rodney Smith and Harvey Stidham. No – 0. Motion Carried.

Mike Beecham asking the mayor if he would appoint the firm and he stated he would think about it.

f) Announcements

g) Additional Business if any

Mark Brining – parking lot trees. If a tree falls on a car in the parking lot who is responsible for it. Mark had spoken with the resident and he doesn't care if we trim the trees. Estimate of \$1000. Clerk will check with Preston Insurance about who is liable if branches fall on cars in our parking lot. Put on the agenda for next meeting.

Liz Rench made a motion that we adjourn and was seconded by Mark Foust. Voice Vote was unanimous to adjourn.

h) Adjourn Open Session

Meeting was adjourned at 7:10 pm

**Approved for publication by the trustees of the Board of the Village
of Mapleton on October 16, 2018**

Patricia A. Briggs