

**RECORD OF PROCEEDINGS**  
**Lithopolis Village Council Meeting Minutes**  
**January 12, 2004**

Council met in regular session Monday, January 12, 2004 at 7:00pm.

**Council Members Present:** Vincent Argobright, Linda Deem, Charles Finks, Terri Gilmore, & Michael Long

**Council Members Absent:** None

**Others Present:** Eric Sandine – Mayor, Jon Browning – Solicitor, Eric A. Long – Fiscal Officer, Mark Anderson – Village Administrator, & Patrick Gilfillen – Chief of Police

Mayor Sandine called the meeting to order and led the Pledge of Allegiance to the Flag of the United States of America.

**Public**

Village resident Sue Argobright is present. Michael Moran is present and wishes to discuss becoming magistrate for the village. Mrs. Argobright is concerned because Bloom Carroll Schools has told her that the buses will not pick up kids on South Street during the winter due to their belief that the Village does not salt this street. Chief Gilfillen stated that the Village does salt that street, but after the main street is completed.

Administrator Anderson stated the same. Mayor Sandine asked Administrator Anderson to send a letter to the school board, assuring them that the Village does indeed take care of snow removal on this street.

Michael Moran is present to discuss becoming magistrate for the village. Solicitor Browning stated that he knows Mike professionally. Michael serves as solicitor for the Village of Hartoford. Solicitor Browning stated that a federal court decision allows mayors of municipalities to hire a magistrate to oversee mayors court. Jon stated that having the mayor preside over mayors court could create a possible conflict of interest. Jon stated that the conflict can arise as the mayor is in charge of the police department, yet he is deciding on fines in mayors court. Jon stated that if a mayor decides to serve over mayors court he loses absolute immunity for judicial acts and could be sued personally.

Mayor Sandine noted that he found a memo from the pevious solicitor to the previous mayor dated 08/30/1999 encouraging the mayor to hire a magistrate.

**Ordinance # 01-04**

An Ordinance providing for the employment of a Mayors Court Magistrate from January 1, 2004 to June 30, 2004 with an option for extending employment through December 31, 2004 and declaring an emergency.

Vincent Argobright moved to suspend the rules.

Second by Michael Long.

Vote: Ayes: Argobright, Deem, Finks, Gilmore, & Long

Nays: None

**\*\*Motion Carried\*\***

Michael Long moved to approve Ordinance # 01-04 and declaring an emergency.

Second by Vincent Argobright.

Vote: Ayes: Argobright, Deem, Finks, Gilmore, & Long

Nays: None  
\*\*Motion Carried\*\*

Mayor Sandine swore in Michael Moran and Mayors Court Magistrate.

**Police Report – December 2003**

604 hours worked, 3,834 miles logged, 40 total citations, & 33 dispatched calls.

**Administrators Report – December 2003**

1,755,000 gallons of water pumped from well field, 285 hours of operation, 5 water service repairs, and 234 sewer service repairs performed (including 188 preventative maintenance).

**Legal Update**

Solicitor Browning stated that the deed to the water tower property was submitted to the county for recording. Jon stated that the county informed him that the drawing and description was incorrect. Jon stated that it was corrected and the county stated that the deed needed to be re-written. Jon stated that the deed has been re-written and is awaiting signatures from the school board.

Vincent Argobright moved to approve bills as presented by the Fiscal Officer.

Second by Michael Long.

Vote: Ayes: Argobright, Deem, Finks, Gilmore, & Long

Nays: None

\*\*Motion Carried\*\*

Mayor Sandine stated that he would like to throw out the idea of abolishing the planning commission again. Mayor Sandine stated that he believe that Council should have more control over the planning & zoning and that abolishing the commission would force everything to come before Council.

Vincent Argobright agreed that council needs to have more control.

**Ordinance # 02-04**

An Ordinance abolishing the planning commission, repealing Ordinance # 124, passed May 4, 1977.

Terri Gilmore moved to suspend the 3 readings.

Second by Vincent Argobright.

Vote: Ayes: Argobright, Deem, Finks, Gilmore, & Long

Nays: None

\*\*Motion Carried\*\*

Vincent Argobright moved to approve Ordinance # 02-04 suspending the 3 readings.

Second by Linda Deem.

Vote: Ayes: Argobright, Deem, Finks, Gilmore, & Long

Nays: None

\*\*Motion Carried\*\*

Mayor Sandine stated that he has prepared an updated Council Rules Resolution.

Mayor Sandine read the 1<sup>st</sup> reading of Resolution # 01-04 Adopting Council Rules.

Mayor Sandine also stated that he has prepared an Ordinance creating the position of Village Administrator. Eric stated that this would give Mark more latitude without having to go to Council with everything. Mayor Sandine stated that currently Mark is not officially the Village Administrator. Mayor Sandine stated he would re-work the ordinance and present at the next meeting.

**Ordinance # 03-04**

An Ordinance adopting the 2004 basic code from American Legal Publishing and declaring an emergency.

Vincent Argobright moved to suspend the rules.

Second by Michael Long.

Vote: Ayes: Argobright, Deem, Finks, Gilmore, & Long

Nays: None

**\*\*Motion Carried\*\***

Terri Gilmore moved to approve Ordinance # 03-04 and declaring an emergency.

Second by Vincent Argobright.

Vote: Ayes: Argobright, Deem, Finks, Gilmore, & Long

Nays: None

**\*\*Motion Carried\*\***

Mayor Sandine presented Council with the 2004 – 2009 Capital Improvement Plan.

Vincent Argobright moved to adopt the Capital Improvement Plan and presented.

Second by Terri Gilmore.

Vote: Ayes: Argobright, Deem, Finks, Gilmore, & Long

Nays: None

**\*\*Motion Carried\*\***

Fiscal Officer Long presented Mayor and Council with December 31, 2003 financial statements and bank reconciliations along with a Fiscal Officer updated. Eric encouraged anyone with questions to feel free to contact him.

Mayor Sandine stated that current Mayors Court/Water & Sewer Clerk Rita Hanna will be leaving the Village at the end of February. Mayor Sandine stated that the Village needs to post for this position. Mayor Sandine stated that he would get with the Fiscal Officer to get a notice posted and published.

Mayor Sandine stated that he will be meeting with Darrell Hughes from the Village of Groveport building department, who currently acts as our building department, to discuss zoning. Mayor Sandine that currently we do not have a zoning inspector as Groveport was not contracted to perform those duties.

John Grosse from RD Zande arrived. John stated that he has a service order for the review of the improvement plans for the Stoney Bluff Condominiums. # 6062-35 for \$ 5,800.00

Fiscal Officer Long noted that he has not yet seen a check from the developers for this amount. John Grosse stated that they will be sending it any day now.

John Grosse stated that Council will need to decide on the color of the water tower in the next few weeks.

John stated that there is nothing in the original bid on the tower to letter it. John provided Council with a written update on the various subdivisions.

Mayor Sandine stated that he will go ahead and fill the committees based on the previous Council Rules, even though a new rules resolution is being considered. Mayor Sandine asked for volunteers.

The Committees were seated as follows...

**Finance Committee** – Eric Sandine, Charles Finks, Eric Long, and new Council Member yet to be determined

**Water / Sewer** – Linda Deem, Vincent Argobright, & Mark Anderson

**Nuisance & Abatement** – Michael Long, & Terri Gilmore

**Streets & Alleys** - Linda Deem, Vincent Argobright, & Patrick Gilfillen

**Buildings & Grounds** – Linda Deem & Vincent Argobright

Mayor Sandine stated that he received a letter from a Sarah Bishop regarding implementing a public smoking ban in the Village, and passed it around for all council members to read. Mayor Sandine stated that maybe in the future Council could invite Sarah to a meeting and she can present her views on the subject.

Vincent Argobright moved that Council adjourn.

Second by Michael Long.

Vote: Ayes: Argobright, Deem, Finks, Gilmore, & Long

Nays: None

**\*\*Motion Carried\*\***