

**Village of Wellington  
Council Meeting Minutes  
Barbara O'Keefe, Mayor  
Council: President Guy Wells, Sandy Denes, Helen Dronsfield, Jeff Hyde,  
Steve Maurer, Hans Schneider**

**Revised 2/2/15**

**Council Chambers**

**Tuesday January 20, 2015**

**7:59 p.m.**

**Public Hearing 6:00 PM** - the Northeast Ohio Public Energy Council ("NOPEC"), on behalf of Wellington Village will hold public hearings with respect to the Plan of Operations and Governance for the aggregation of competitive retail natural gas (the "Aggregation Program"), as previously authorized by such members pursuant to the Ohio Revised Code Section 4929.26. – Mayor O'Keefe opened the public meeting with roll call Denes – Present, Dronsfield – Present, Hyde – Present, Maurer – Present, Schneider – Present, Wells – Present. Mr. Charles Ramer began by giving council an overview of NOPEC updates. Ms. Denes asked if a resident had already picked their own provider, whether or not they would be made to change to NOPEC; Mr. Ramer said no, it would only effect customers who were "Standard Choice". There was some discussion on how NOPEC knows who is Standard Choice and who is not. Mr. Hyde asked whether or not the Village could opt out of NOPEC; Mr. Ramer said yes. There was some discussion about how much notice must be given for the village to opt out, according to the contract and whether or not there was a penalty for withdrawing. There was some discussion about NOPEC average fixed price and market average pricing. Mr. Maurer stated that he is against the aggregate, he feels that it's wrong for residents to have to opt out of the aggregate and he feels there should not be another hearing tonight. Motion by Denes, 2<sup>nd</sup> by Hyde to close the public hearing at 6:25 PM. Roll call vote was taken with all members voting "yes".

**Public Hearing 7:20 PM** - the Northeast Ohio Public Energy Council ("NOPEC"), on behalf of Wellington Village will hold public hearings with respect to the Plan of Operations and Governance for the aggregation of competitive retail natural gas (the "Aggregation Program"), as previously authorized by such members pursuant to the Ohio Revised Code Section 4929.26. – Mayor O'Keefe opened the public meeting at 7:35 PM with roll call Denes – Present, Dronsfield – Present, Hyde – Present, Maurer – Present, Schneider – Present, Wells – Present. Mr. Ramer gave a brief overview of the aggregate program. Mr. Hyde asked whether or not there was an, opt in option, Mr. Ramer said no, only opt out. Mr. Schneider asked how NOPEC knew whether or not everyone had received their letters, Mr. Ramer explained that the list was coming from Columbia Gas, and in the past had not had a problem with missing residents. Mr. Schneider asked if the residents were automatically enrolled; Mr. Ramer said yes, as the residents of the village voted on the, opt out option in a past election. Mr. Maurer stated that he feels this is wrong, and that council should not be making decisions for village residents which is forcing them into a program which they have to opt out of by way of a phone call or mailing a post card. Mr. Ramer reminded council that the voters voted to create an, opt out program, and had previously made that decision. Ms. Denes explained that she feels the goal is to have a safe, reliable, long term competitive pricing, and to save residents money on their natural gas bill. Mr. Maurer stated that a resident could do that on their own. Mr. Hyde stated that the village was locked into the program for at least nine months; Mr. Schneider stated that the village was locked in however, the residents could leave the program. Mr. Wells feels that this will look like a good deal to any resident who is touched by it. Ms. Dronsfield encouraged residents to come to the next meeting, and voicing their opinion about the aggregate. Ms. Shaw asked Mr. Ramer whether or not they distinguished between renters and owners when they send out the letters; Mr. Ramer said that they send letters out to whoever's name is on the utility bill. Ms. Shaw asked what happens when the tenant moves out; Mr. Ramer said that it would default back to standard choice, and then the new tenant would receive an, opt out letter to notify them of the aggregate. Ms. Shaw asked what happens if a person does not receive a letter, are they automatically entered into the program; he said that the list that they have is a first class return postage guarantee and they haven't had a delivery problem, however if it did happen, they would not

be automatically enrolled. Mr. Pyles asked if there will be another public hearing; Ms. Denes suggested just having the normal three reading on the Ordinance. Mr. Hyde agreed. Mr. Schneider asked when the residents would begin receiving their opt out letters if they wait three readings; Mr. Ramer said if the Ordinance passed in March, the letters would go out in April, and it would affect the June billing. Mr. Hyde asked if there were any City Councils who voted not to join the aggregate; Mr. Ramer said yes, of the 31 communities, Willard did not join the aggregate because NOPEC could not get them a better deal on their electric as they are outside of the Ohio Edison service area. Motion by Wells, 2<sup>nd</sup> by Hyde to adjourn the public hearing at 7:59 PM. Roll call vote was taken with all members voting “yes”.

**1. PLEDGE OF ALLEGIANCE** . Mayor O'Keefe called the meeting to order with the Pledge of Allegiance.

**2. ROLL CALL**

Councilwoman Sandy Denes - Present      Councilman Steve Maurer - Present  
 Councilwoman Helen Dronsfield - Present      Councilman Hans Schneider - Present  
 Councilman Jeff Hyde - Present      Council President Guy Wells - Present  
 Others Present . Mayor O'Keefe, Village Manager Pyles, Finance Director Shaw, Law Director Bond, Police Chief Barfield, Electric Supt. Bealer, Public Works Supt. Brasee, Zoning Inspector Furcron, MSW Rep. Patti Young, Clerk of Council O'Brien, Enterprise Reporter Urbanik.

**3. APPROVAL OF MINUTES** . Ms. Denes asked that the minutes be amended to show the Main Street Wellington Meeting was actually January 22<sup>nd</sup>; Mayor O'Keefe asked that the minutes be amended to show the correct spelling of Phil Kunz. Motion by Denes, 2<sup>nd</sup> by Wells, to approve as corrected. Roll call vote was taken with all members voting ~~yes~~.

**4. FINANCIAL REPORTS** . Mr. Maurer had a question concerning the bills, Ms. Shaw answered his question. Ms. Denes had a question concerning the bills, Mr. Brasee answered her question. Motion by Denes, 2<sup>nd</sup> by Maurer to approve the expenses and pay the bills. Roll call vote was taken with all members voting ~~yes~~.

101 GEN	\$	127,211.50
201 Street CM&R	\$	3,717.05
208 Permissive Vehicle Tax	\$	1,786.86
209 Law Enforcement Trust	\$	817.69
290 Caring Fund	\$	400.00
401 Capital Improvement	\$	1,797.56
501 Water	\$	27,583.59
502 Sewer	\$	33,139.45
503 Elect	\$	77,641.27
**Power Bills	\$	524,096.31
504 Garbage	\$	24,931.47
505 Cable TV Franchise Fund	\$	4,295.50
506 Storm Sewer Capital	\$	3,950.05
508 Consumer Deposit	\$	2,691.45
Total	\$	834,059.75
Pay 1	\$	96,149.51
Grand Total	\$	930,209.26

**5. COMMUNICATIONS FROM MAYOR, COUNCIL, AND VILLAGE OFFICIALS:**

- Mayor O'Keefe
- Law Director Bond . Nothing to Report
- Chief Barfield . Chief Barfield reported that he had several meetings the past weeks, many pertaining to training. He further reported that he had made many alliances, where they would get training for free. Chief Barfield mentioned that he has received a couple of applications for Auxiliary Officers. He mentioned that he has reworked

- the schedule to include full timers working on the weekends, and will also have three people working on Friday and Saturday nights.
- Finance Director Shaw . Ms. Shaw reported that House Bill 5 had passed, which had to do with uniformity in income tax collections and other things. RITA is doing a model ordinance and Ms. Shaw will meet with Mr. Bond, as parts of the village ordinance will have to be changed. Ms. Shaw will put a report together with some of the changes coming with HB5. Mr. Maurer asked if she knew who was behind the changes; Ms. Shaw explained that she believed CPA were behind the push for changes. Mr. Schneider asked Ms. Shaw to make a schedule of Holiday for the department heads. Mr. Schneider asked Ms. Shaw about the Barker St. assessment letter that did not get delivered to a resident in time; Ms. Shaw explained that when the letters were sent, it started a two week clock where the property owners could respond in writing and decide whether or not they wanted to come before the assessment appeals board. Chief Barfield delivered the letter to the property owner in Valley City, today. Because the letter could not be delivered in a timely manner, the process has been set back another two weeks, which will give that property owner the time to file a complaint, and request a hearing.
  - Village Manager Pyles . Mr. Pyles reported that the beams had come in for the underpass, and they will be moving dirt on the other side. He mentioned that the crews are still working through this winter weather. Mr. Schneider asked if they were burning things at the site; Mr. Pyles explained that it was possibly the iron workers who are at the site. Mr. Schneider asked if Mr. Pyles had done any research on the building barriers that Mr. Wells had mentioned; Mr. Pyles said that it was possible, not with the underpass project, however an in house possibility.
  - Main Street Wellington . Ms. Young reported that the MSW annual meeting is Thursday January 22<sup>nd</sup>. She announced that Jim Cortez would be their speaker; the meeting is at 7:00 PM in the Elms dining room.

## 6. REPORTS OF COMMITTEES

- Finance . Mr. Hyde thanked Ms. Shaw for all of the year end reports she provided. Mr. Hyde reported that the committee had decided to actively pursue delinquent income tax accounts. Mr. Hyde made a motion to hire Grace Simpson as part time dispatcher, at an hourly rate of \$13.23, effective as soon as she passes her drug screening, with a 6 month probation, 2<sup>nd</sup> by Wells. Roll call vote was taken with all members voting yes. Mr. Hyde reported that he had been re-elected VP of the fire district board. He further reported that Chief Wetherbee has been working with the state legislature and the governor and the Ohio Senate and the Ohio House to get a bill passed on behalf of the late Fire Fighter Buz Anderson. The bill will make it a fineable offence for a vehicle which ignores a posted high water sign, resulting in a rescue squad being dispatched. Mr. Hyde announced that the bill has been passed in both the house and senate, and the governor had signed the bill. Mr. Hyde reported that the annual dinner is Saturday night at the Eagles.
- Police . Mr. Wells reported that the next meeting is February 2<sup>nd</sup> prior to council. Mr. Wells suggested putting a qualification on the stated meeting time, as sometimes there are a large number of agenda items, and some meetings get rushed. Mr. Bond stated that it was fine to go over on committee meetings, however, council meetings could not begin earlier than 7:30 PM.
- Public Works . Ms. Dronsfield reported that the next meeting would be February 2<sup>nd</sup> prior to council.
- Utility . Ms. Denes reported that the committee had heard a report from Superintendent Rosemark about the village assisting Rural Water with a water transfer to Avon Lake on Jan. 10<sup>th</sup> and 11<sup>th</sup>. The water emergency response trailer, built by village employees, worked flawlessly. She further reported that council held two NOPEC public hearings tonight; NOPEC is a natural gas aggregator, which

council is considering joining. Ms. Denes reported that her goal is to have safe, reliable, long term, competitive pricing for residents with natural gas. The legislation will be forthcoming and will go through the entire three readings, to provide residents the opportunity to ask questions. Lastly Ms. Denes reported that the Electric Department will be purchasing a Skag mower and a trailer from Wellington Implement at \$12, 252.70 which had been budgeted for, for year 2015.

- Ordinance . Mr. Schneider reported that the committee will meet on February 2<sup>nd</sup>. He further reported that the Ambulance Board minutes were in the packet and that he had replaced Mr. Maurer as the representative on the board. He mentioned that Butch Holmes had been elected president, and Ken Ziegler was vice president. He further mentioned that beginning in February the board will begin recording the meetings, as they had not been recorded in the past. Mr. Schneider reported that there were many accolades for Mr. Maurer while he served as president in the past. He thanked Mr. Maurer for his hard work on the board. Mr. Schneider suggested adding the Caring Fund ordinance to the next meeting for discussion. Ms. Denes mentioned that the Caring Fund was available, to those who meet requirements. She further mentioned that the grant was for \$200.00 per year, and reminded residents in need to see Ms. Shaw about applying, as the village is having trouble giving away the money that has been collected. Mr. Wells mentioned that the fund was set up, to assist with heating bills. He further mentioned that residents can sign up to contribute, making their utility bills rounded up to the next whole dollar, and that money goes into the Caring Fund. The fund has approximately \$1,800.00. Ms. Shaw reminded residents that the utility bills are due on the 15<sup>th</sup> of each month. If a payment comes in after the 15<sup>th</sup> there will be a late fee added to the account.

## 7. ORDINANCES AND RESOLUTIONS

### ORDINANCE NO. 2015-01

AN ORDINANCE APPROVING AND ACCEPTING THE DEDICATION OF THE FINAL PLAT FOR WINDMERE SUBDIVISION, PHASE 1, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE 2<sup>nd</sup> Reading

There was some discussion about whether or not they had met all of the requirements. Mr. Pyles reported that yes, they had met all of those.

Motion by Hyde, 2<sup>nd</sup> by Schneider to suspend the rules. Roll call vote was taken with all members voting %yes+. Motion by Denes, 2<sup>nd</sup> by Hyde to approve as read. Roll call vote was taken with all members voting %yes+.

### RESOLUTION NO. 2015-07

A RESOLUTION DESIGNATING THE PUBLIC DEPOSITORIES FOR ACTIVE, INTERIM, AND INACTIVE FUNDS AND AUTHORIZING THE VILLAGE FINANCE DIRECTOR TO ENTER INTO AGREEMENTS AND DEPOSIT VILLAGE FUNDS IN ACCORDANCE THEREWITH, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE 1<sup>st</sup> Reading

Motion by Hyde, 2<sup>nd</sup> by Wells to suspend the rules. Roll call vote was taken with all members voting %yes+. Motion by Hyde, 2<sup>nd</sup> by Wells to approve as read. Roll call vote was taken with all members voting %yes+.

## 8. OLD BUSINESS

Mr. Pyles reported that he had been informed by Scott Markel, of a newspaper article from the Wellington Enterprise in 1920, talking about the need to build an underpass in Wellington, OH. Mr. Wells reported that the Museum was doing an overhaul on its exhibit space on the 2<sup>nd</sup> floor. He further reported that it should be finished in the spring.

## 9. NEW BUSINESS

Mayor O'Keefe mentioned that the 2<sup>nd</sup> meeting in February falls on Presidents Day, and suggested moving the meeting to Tuesday February 17<sup>th</sup>. Motion by Maurer, 2<sup>nd</sup> by Denes to move the meeting to Tuesday February 17<sup>th</sup>. Roll call vote was taken with all members voting %yes+.

Mayor O'Keefe announced that Dairy Queen would be having a customer appreciation day on Wednesday January 21<sup>st</sup>, and everything would be 50% off. She also announced that the American Legion would be having their Four Chaplins Sunday, and that this

year it would be private. She mentioned that the Four Chaplins story could be accessed on the internet for anyone who not familiar with it.

**10. ADJOURN** . Motion by Maurer, 2<sup>nd</sup> by Hyde to adjourn at 8:30 PM