



# Village Council Regular Meeting

April 11, 2024 at 7:00 PM  
2829 Minerva Lake Rd.

## Agenda

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### Roll Call/Vote to Excuse any Absent Member

### Pledge of Allegiance

### Minutes

- [1.](#) Motion to Approve 3/28/244 Work Session Minutes
- [2.](#) Motion to Approve 3/28/24 Council Meeting Minutes
- [3.](#) Motion to Approve 4/4/24 Work Session Minutes

### Village Official Reports

- [4.](#) Police - Chief Matt Delp
5. Fiscal Officer - Jeffrey Wilcheck
- [6.](#) Engineer - Mike Flickinger
7. Legal - Jesse Shamp
8. Village Planning - Eric Fischer
- [9.](#) Zoning Officer - John Canty
10. Planning & Zoning - Tommy Grant
11. MPCA - Jason Camara

### Village Committee Reports

12. Finance - Tommy Grant
13. Streets - Stacey Koss
14. Services - J.P. Martin
15. Recreation & Parks - Jason Camara
16. Safety - Cathy Paessun
17. Legislation - David McNamara

### Mayor's Report

### Citizen Comments

### Legislation

18. Ordinance 07-2024-motion to suspend the rules that require 3 readings.
- [19.](#) **ORDINANCE 07-2024 AN ORDINANCE AMENDING PART SIXTEEN OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MINERVA PARK AND AMENDING THE ZONING MAP FOR THE VILLAGE AND DECLARING AN EMERGENCY (2nd**

reading-intent to suspend the rules that require 3 readings and pass as an emergency)

- 20. ORDINANCE 08-2024 AN ORDINANCE AMENDING SECTIONS 204.04 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MINERVA PARK (2nd reading)**
- 21. ORDINANCE 09-2024 AN ORDINANCE GRANTING A 25-YEAR FRANCHISE TO AEP OHIO, ITS SUCCESSORS AND ASSIGNS, FOR THE RIGHT TO ACQUIRE, CONSTRUCT, MAINTAIN AND OPERATE IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES, AND PUBLIC PLACES OF THE VILLAGE OF MINERVA PARK, STATE OF OHIO, AND ITS SUCCESSORS, LINES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC ENERGY TO THE VILLAGE OF MINERVA PARK, AND THE INHABITANTS THEREOF FOR LIGHT, HEAT, POWER, AND OTHER PURPOSES, AND FOR THE TRANSMISSION AND DISTRIBUTION OF THE SAME WITHIN THROUGH, OR ACROSS SAID VILLAGE OF MINERVA PARK, STATE OF OHIO. (1st reading)**
- 22. ORDINANCE 10-2024 AN ORDINANCE TO ADOPT CHAPTER 810.10 TO THE CODIFIED ORDINANCES OF THE VILLAGE OF MINERVA PARK, OHIO (1st reading)**
- 23. RESOLUTION 2024-09 A RESOLUTION AUTHORIZING THE PURCHASE OF EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY POLICY AND APPLYING THAT POLICY TO THE VILLAGE'S FISCAL OFFICER AND ASSISTANT FISCAL OFFICER (2nd reading)**
- 24. RESOLUTION 2024-11 A RESOLUTION TO AMEND THE RULES OF COUNCIL AND CALENDAR AS WAS APPROVED IN RESOLUTION 2024-01 AND DECLARING AN EMERGENCY (1st reading-intent to pass as an emergency)**

Old Business

New Business

Adjourn

MINUTES OF THE

March 28, 2024 6:00 PM

COUNCIL WORK SESSION

Council President Camara called the Work Session to order at 6:04 pm

In Attendance: Councilpersons Paessun, Martin, Grant, Camara, Mayor Tiffany Southard, Village Engineer Mike Flickinger, Planner Eric Fischer

The only agenda item for this work session is the Maintenance Garage-specifically location

Staff has been working with the engineering team; several locations have been considered.

Engineer Flickinger presented a review of the project:

- Plan is to place the building on Village property between the properties on Maplewood and the MI section of the Village
- Discussion was held re pros and cons of location of Village-specific concerns about impact on immediate neighboring residents and costs
  
- Takeaway from the discussion: Village requests that the building be as far out of resident sight as possible, which could alter some design features

Council President Camara moved to adjourn; Councilperson Grant 2<sup>nd</sup>; meeting adjourned at 7:50 PM.

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Tiffany Southard, Mayor

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Jeffrey Wilcheck, Fiscal Officer

MINUTES OF THE

March 28, 2024

COUNCIL MEETING

*Mayor Tiffany Southard called the meeting to order at 7:03 PM*

**Roll Call: Present:** Koss, Camara, Paessun, Grant, Martin **Absent:** McNamara

🌳 Mayor Southard moved to excuse Councilperson McNamara; Council President Camara 2<sup>nd</sup>; approved with 5 “aye” Votes

Also in attendance: Mayor Tiffany Southard Police Chief Matt Delp, Village Planner Eric Fischer

**MINUTES: (00:01:51 of Video Recording)**

🌳 Council President Camara moved to approve 3/14 minutes as corrected; Councilperson Grant 2<sup>nd</sup>; approved with 5 “aye” votes (McNamara Absent)

**CITIZEN COMMENTS: (00:01:51)**

🌳 None

**LEGISLATION: (00:01:58)**

**ORDINANCE 06-2024**

AN ORDINANCE ENACTING A MUNICIPAL MOTOR VEHICLE LICENSE FEE PURSUANT TO 4504.172 and 4504.173 OF THE OHIO REVISED CODE (2<sup>nd</sup> reading-intent to suspend the rules that require 3 readings)

Councilperson Paessun moved to suspend the rules that require 3 readings; Councilperson Koss 2<sup>nd</sup>; approved

**Roll Call:**

**Ayes:** Grant, Koss, Camara, Martin, Paessun      **Nays:** None

**Abstentions:** None      **Absent:** McNamara

Council President Camara moved to approve Ordinance 06-2024; Councilperson Paessun 2<sup>nd</sup>; approved

**Roll Call:**

**Ayes:** Paessun, Martin, Camara, Koss, Grant      **Nays:** None

**Abstentions:** None      **Absent:** McNamara

**ORDINANCE 07-2024**

AN ORDINANCE AMENDING PART SIXTEEN OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MINERVA PARK AND AMENDING THE ZONING MAP FOR THE VILLAGE AND DECLARING AN EMERGENCY (1<sup>st</sup> reading-intent to suspend the rules that require 3 readings and pass as an emergency)

Council chose not to suspend the rules that require 3 readings.

MINUTES OF THE

March 28, 2024

COUNCIL MEETING

**LEGISLATION (continued):**

**ORDINANCE 08-2024**

AN ORDINANCE AMENDING SECTIONS 204.04 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MINERVA PARK (1st reading)

**RESOLUTION 2024-09**

A RESOLUTION AUTHORIZING THE PURCHASE OF EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY POLICY AND APPLYING THAT POLICY TO THE VILLAGE'S FISCAL OFFICER AND ASSISTANT FISCAL OFFICER (1st reading)

**RESOLUTION 2024-10**

A RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION OF A CONTRACT WITH xxxxxxxx . FOR INSPECTION, CLEANING AND VIDEO RECORDING OF CERTAIN SANITARY AND STORM SEWER LINES (1<sup>st</sup> reading)

**OLD BUSINESS: (00:05:58)**

- 🌲 Planner Fischer shared updates on 3 in-progress items:
  - Generator to be delivered and installed 4/3 AM
  - Amphitheater contract has been fully approved for 100% reimbursement; hope is for completion end of May; pathway to stage, electricity, drainage and ADA pad with rails yet to be installed
  - Met with ODOT re area behind Minerva Park MS; they will be handling clean up of the area and expect to begin ASAP
- 🌲 Council President Camara reminds residents and past members of deadline for “early bird” discount on pool memberships – 3/31

**NEW BUSINESS:**

- 🌲 None

Council President Camara moved to adjourn; Councilperson Koss 2<sup>nd</sup>; meeting adjourned at 7:14 PM after 5 “aye” votes.

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Tiffany Southard, Mayor

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Jeffrey Wilcheck, Fiscal Officer

MINUTES OF THE

April 4, 2024 7:00 PM

COUNCIL WORK SESSION

Council President Camara called the Work Session to order at 7:00 pm

In Attendance: Councilpersons Paessun, Grant, Koss, Martin, Camara Mayor Tiffany Southard, Law Director Jesse Shamp, Planner Eric Fischer

Several residents were in attendance to learn more about the Maintenance Garage:

- a meeting was recently held regarding the location of the garage;
- Mayor Southard gave a brief review of the process for the building of the garage, which has not yet gone out to bid
- Council President Camara explained that Work Sessions are not typically the place for Citizen Comments; once designs are received, they will go to council; residents are welcome to speak during the Citizen Comment section of the next several council meetings.

**SAFETY (C. PAESSUN) 5:34 of audio recording**

- Crosswalks near Minerva France are complete and seem to be helping
- Flock Camera has been ordered; electricity is run, pole to be set soon
- Radar Sign is back, and is installed and running at the east end of Minerva Lake Rd.
- Chair Paessun will be reaching out to Chief for updates and possible needs

**LEGISLATION (D. MCNAMARA-reported by J. Camara) 8:32**

- ORD 07-2024: adopt State Fire Code intent to waive 3<sup>rd</sup> reading & pass as an emergency
- ORD 08-2024-: logos of the Village
- ORD 09-2024: 25-year franchise to AEP for electric service
- RES 2024-09: purchase insurance policy bond for fiscal team
- RES 2024-10: CCTV sewer contract
- 

**SERVICES COMMITTEE (JP MARTIN) 24:55**

- Working on leaf bids for the fall

**FINANCE COMMITTEE (T. GRANT) 25:32**

- Meeting scheduled 5/1 5PM
- Mayor Southard passed out updated general fund & forecast based on 2 million for pool renovations; some concern about fund balances in the future
- A levy is up for renewal in 2025

**STREETS COMMITTEE (A. KOSS) 27:47**

- Met with Engineer Flickinger & some Jordan Rd residents to discuss sinkholes & finalization of project
- CCTV on Wildwood, Westbridge & perhaps adding one of the courts-another sewer project is pushed to 2025 due to lack of funds
- Resident reports of improper drainage on Wildwood; Village will further investigate

## VILLAGE OF MINERVA PARK

MINUTES OF THE

April 4, 2024 7:00 PM

COUNCIL WORK SESSION

**REC AND PARKS COMMITTEE (J. CAMARA) 41:55**

- Landscapers have come back out to work on projects that were reported as unfinished
- Pool: early bird closed-125 memberships sold
- Pool subcommittee met with MKSK engineers re renovations of pool; more realistic budget presented; meeting scheduled for 6PM 4/18

**P & Z REQUESTS 43:57**

- Bat houses-desire to move forward; P & Z is developing a plan
- Possible use of Mary Yost funds to improve middle lake (just over 23K in the fund)
- Disc Golf-looking for grants Minerva France put up 7 holes-each hole costs approx. 2400 based on information received so far; interest in adding up to 11 more holes; P & Z investigating hole location
- Walking path Plan
- Tunnel-pause on this for now
- Meeting 4/17 7:00 PM

**FIVE YEAR PLAN 50:28**

- Committee chairs are asked to start considering a plan for each committee; PD & admin are asked to do the same

**NEW BUSINESS 54:00**

- Air B & B: current code contains nothing regarding short term rentals; then council majority were not interested in making a change; legal is asked to develop policy/code revision that requires registration, and requires that any rental of less than 30 days have a property owner present; legal will investigate fees any appropriate tax that might be collected
- Charter: 2 ways a charter commission can be established: 1)Residents can file a petition that would be signed by at least 10% of those who voted in the last gubernatorial election 2)Council can pass ordinance by 2/3 majority “shall the Village of Minerva of Minerva Park adopt a Charter Commission?” could be placed on the November ballot (decision made by July to meet deadlines); after commission is established, guidelines can be re-established for things like form of government, # of readings required, etc.-Council would like to review our previous charter along with a few others from other municipalities-Discussion to be continued at 1<sup>st</sup> May work session.
- Wet/dry areas of the Village: liquor sales are permitted in the MI section of the Village; is there an appetite to place an issue on the November ballot to make liquor sales permitted in the rest of the Village? This would allow retail in the Village, as well as the pool (if so desired) to sell alcohol. Legal will develop legislation in this regard.
- Brief discussion held regarding future funding for Council Member Training
- Changing rules of Council: interest expressed by Council members to eliminate the 6 committees; council would meet as a “Committee of the Whole” 1 hour before each regular council meeting; committee chairs would continue to be responsible for their “area.” Council will “test” this in May (Finance Committee and Pool Subcommittee will still meet in May as scheduled). Legal will draft legislation for 1<sup>st</sup> reading 4/11.

## VILLAGE OF MINERVA PARK

MINUTES OF THE

April 4, 2024 7:00 PM

COUNCIL WORK SESSION

**VILLAGE PLANNER 01:45:10**

- Walking path bridges: asphalt bridge near tunnel is beginning to buckle due to erosion; estimates to repair all bridges are far to expensive to replace; can we remove the asphalt and level the surface? Possible temporary bridge MAY be put into place; bridge near Black Sycamore Pond is less than optimal. Possibility of poles/bollards being placed upstream to slow flow and catch debris also being considered. Might sealcoating help? Research beginning into solutions.
- Right of Way: Planner Fischer met with Zoning Officer Canty to discuss; letters have been drafted to address Right of Way items that may be tripping/blocking hazards first.
- Amphitheater: met with contractor-construction on pathway to stage, ADA platform etc. to begin soon; Electric service to be finalized in April/May

Council President Camara moved to adjourn; councilperson Martin 2<sup>nd</sup>; work Session ended at 8:45 PM

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Tiffany Southard, Mayor

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Jeffrey Wilcheck, Fiscal Officer





# DIVISION OF POLICE

## VILLAGE OF MINERVA PARK



*Chief Matt Delp*

Monday, April 1, 2024

TO: Mayor, Council

FR: Chief Matt Delp

RE: **March 2024 Chief's Report**

Madame Mayor, Members of Council,

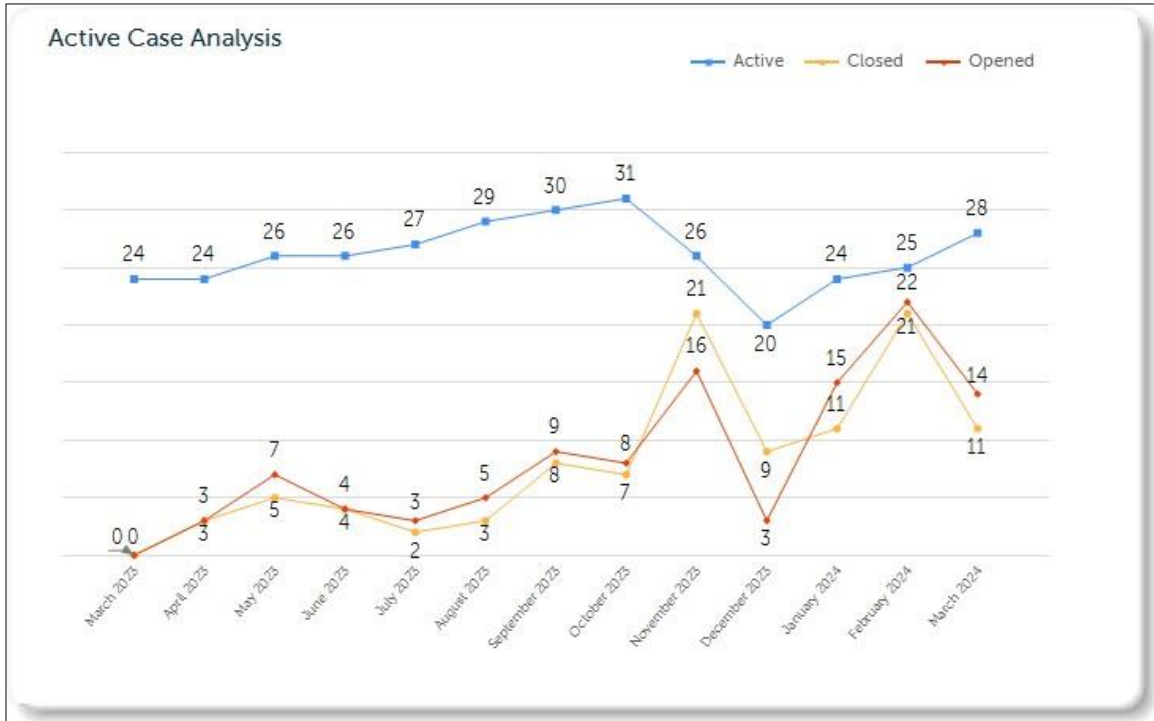
Our K9, Kimber, began additional training for drug detection, tracking and article search this month. We anticipate she will complete her training by the end of April, and achieve her state certification. We are excited to quickly utilize the tracking and article search skills she will learn.

It appears the new cross-walk and signage are having a positive impact on the traffic situation on Farview at Greenline Way. Moving the crosswalk away from the intersection has allowed traffic to flow more efficiently. The crossing guard reported improvement in safety for the children and herself.

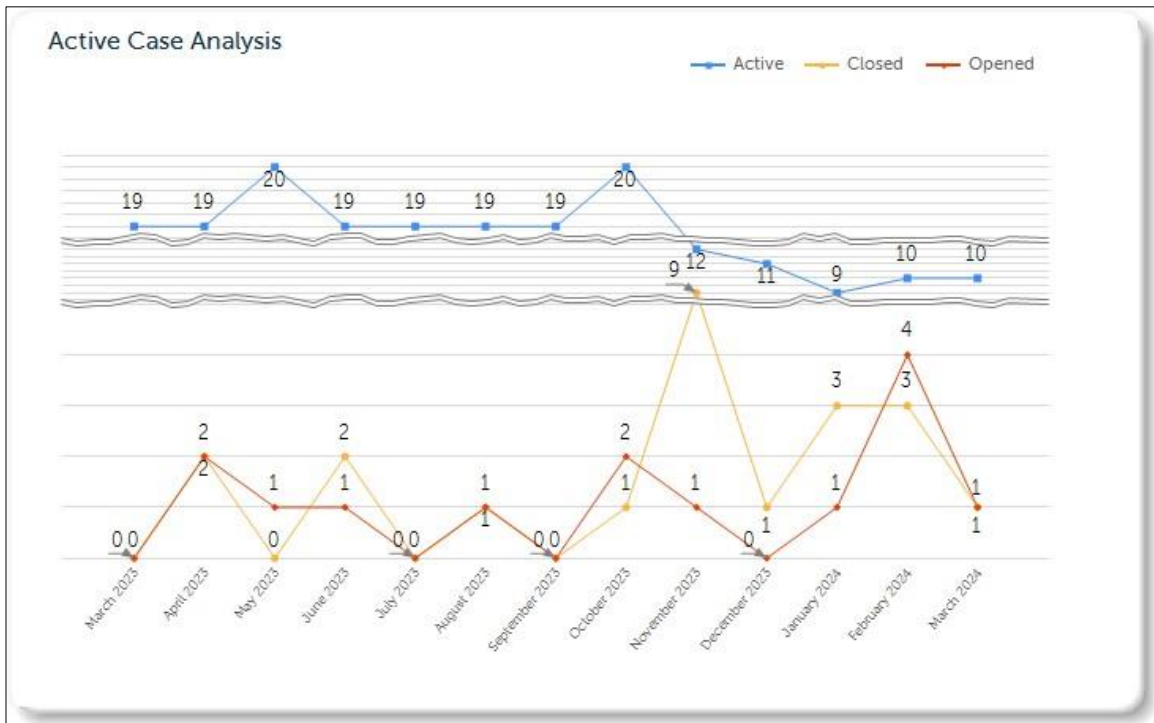
There is nothing else to report for the month of March.

The following pages contain the vital statistics for police activity.

	March 2024	Previous Year	Difference
Traffic Stops	64	93	-29
Citations Issued	19	37	-18
Police Reports	14	11	3
Active Cases	11	7	4
Calls for Service	358	388	-30



TRAFFIC STOP – CRIMINAL CHARGES



For Cases opened between 3/1/2024 and 3/31/2024 for all case types.

Item # 4.

Case Subtype	Cases	%
Assault	2	12.50 %
Complaint	6	37.50 %
Domestic Violence	2	12.50 %
DUI	1	6.25 %
Larceny/Theft	1	6.25 %
Property Impound	1	6.25 %
Sexual Assault	1	6.25 %
Unspecified Call	1	6.25 %
Vehicle Crash	1	6.25 %
<b>Total</b>	<b>16</b>	<b>100.00 %</b>

3/31/2023 - 3/31/2024				
Subtype	Active at Start	Opened Cases	Closed Cases	Active at End
Assault	1	18	15	4
Breaking and Entering	0	0	0	0
Burglary	1	2	3	0
Complaint	5	36	33	8
Counterfeiting/Forgery	0	0	0	0
Destruction/Damage/Vandalism	0	6	6	0
DOA - Unknown	0	2	2	0
DOA-Suicide	0	0	0	0
Domestic Violence	1	7	5	3
Extortion/Blackmail	0	1	1	0
Hit Skip	0	0	0	0
Larceny/Theft	4	15	15	4
Menacing	1	2	2	1
Motor Vehicle Theft	1	3	3	1
Person in Jeopardy	3	2	5	0
Property Impound	0	2	2	0
Property in Jeopardy	0	0	0	0
Protection Order	1	0	0	1
Rape	0	1	1	0
Request for Assistance	1	0	0	1
Robbery	0	2	2	0
Sexual Assault	0	2	1	1
Shooting	1	0	1	0
Traffic Stop	0	0	0	0
Unspecified Call	3	6	6	3
Warrant	1	2	2	1
<b>Total</b>	<b>24</b>	<b>109</b>	<b>105</b>	<b>28</b>

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<b>Subject</b>	<b>Project Updates for Council</b>	<b>Project Name</b>	Village Engineering Services
<b>Attention</b>	Honorable Tiffany Southard, Mayor	<b>Project No.</b>	690666
<b>From</b>	Michael J. Flickinger, P.E.		
<b>Date</b>	April 9, 2024		
<b>Copies to</b>	File		

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#### Task Order No. 20: 2022 Storm Sewer Improvements Project

- We continued coordinating with legal counsel and Village staff about the permanent and temporary easements. Currently there is one outstanding easement at a commercial parcel.
- The project is substantially complete. The next push will be to complete final site restoration, which will require warmer weather. We will coordinate with the contractor to determine a preliminary timeframe for that work.
- We met with Councilmember Koss and residents from three parcels on 03/29 to discuss final grading on their properties.

#### Task Order No. 27 and 28: 2023 Roadway Improvements projects

- The 2024 Roadway Improvements project will now include only the Maplewood Drive work. The project is scheduled to advertise on 04/11 and bids will be opened on 05/03.
- The Valley Road reconstruction was removed from the project due to (1) funding and (2) the need to coordinate its work with potential improvements related to the swimming pool.
- We continued detailed design on the 2025 Roadway Improvements (Minerva Lake Road), which will be coordinated with the Village's OPWC grant application.

#### Task Order No. 30: Maintenance Building

- We continued detailed design, focusing on completing the building mechanical and electrical disciplines.
- We met with the fiscal officer on 03/13 to discuss potential locations on the Village property for the building.
- We met with council on 03/28 for their input and direction on the building's location. Based on council's preferred location we began revising the site plan and associated items.
- Our goal is to advertise the project in early May.

#### Task Order No. 31: Lake Improvements Detailed Design

- We completed our draft Wetland Delineation Report and submitted it to the Village on 04/04 for review and comment. We will finalize the report based on Village comments and then be prepared to submit to US Army Corps of Engineers for permitting when the scope of a lakes improvements project is finalized.

- We received the laboratory analysis from CTL Engineering of the samples they collected. We are reviewing their analysis to determine the feasibility of using dredged material from the south lake as fill for the north lake. We will prepare a tech memo to summarize this option.

Task Order No. 32: 2024 CCTV Analysis

- We submitted Visu-Sewer's proposal for this year's cleaning and televising program on 03/25.
- Pending the results of a second proposal solicited by the Village, we will coordinate the work with the selected contractor.

Task Order No. 33: 2024 Storm Sewer Improvements

- This task order has been put on hold due to funding.

## Violation Report - MARCH 2024

Generated by Zoning Code Enforcement Officer

Violation Date	Date Resolved	Subject
03/27/2024		OBSTRUCTION IN ROW
03/27/2024		TRASH CANS
03/27/2024		TRASH CANS
04/01/2024		PEELING PAINT ON HOUSE
03/19/2024		VEHICLE REPAIR IN DRIVEWAY
03/19/2024		WEEDS, BUSHES AND DEBRIS
03/06/2024	03/13/2024	JUNK ON DRIVEWAY
03/06/2024		MILDEW ON SIDING
03/06/2024		JUNK ON DRIVEWAY
12/11/2023		DEBRIS BEHIND HOUSE
12/06/2023		INOPERABLE VEHICLE
12/04/2023	03/27/2024	INOPERABLE VEHICLE
08/23/2023		GARAGE UNSAFE

# Permit Report - MARCH 2024

Generated by Zoning Code Enforcement Officer

Record Count : 16

Permit Type	Status	Date of Application	Local Permit No.	Property Address
<b>ACCESSORY STRUCTURE ( 3 )</b>	Approved	03/08/2024	PIP-08-2024	4731 BLACK SYCAMORE DR
	Approved	03/12/2024	PIP-09-2024	2590 WILDWOOD RD
	Approved	03/15/2024	PIP-12-2024	2575 MINERVA LAKE RD
<b>DECK/PATIO ( 1 )</b>	Approved	03/20/2024	PIP-14-202	3089 QUIET BROOK VALE
<b>FENCE ( 2 )</b>	Approved	03/21/2024	F-03-2024	2678 WOODLEY RD
	Approved	03/21/2024	F-02-2024	2964 MINERVA LAKE RD
<b>PLUMBING ( 7 )</b>	Complete	03/05/2024	P-04-2024	2860 MINERVA LAKE RD
	Complete	03/07/2024	P-06-2024	2860 MINERVA LAKE RD
	Complete	03/07/2024	P-05-2024	5353 EAST SHORE DR
	Complete	03/11/2024	P-07-2024	2860 MINERVA LAKE RD
	Complete	03/14/2024	P-08-2024	4863 BLACK SYCAMORE DR
	Complete	03/14/2024	P-09-2024	2871 EAST SHORE CT
	Complete	03/15/2024	P-10-2024	2678 MAPLEWOOD DR
<b>ROOF REPLACEMENT ( 2 )</b>	Complete	03/12/2024	PIP-10-2024	3182 MINERVA LAKE RD
	Approved	03/13/2024	PIP-11-2024	2550 MAPLEWOOD DR
<b>SIGN (PERM) ( 1 )</b>	Approved	03/04/2024	S-01-2024	5199 WESTERVILLE RD

**ORDINANCE NO. 07-2024**

**AN ORDINANCE AMENDING PART SIXTEEN OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MINERVA PARK AND AMENDING THE ZONING MAP FOR THE VILLAGE AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Minerva Park contracts with the City of Columbus for fire inspection services; and

WHEREAS, the Village therefore adopts the most up-to-date Ohio Fire Code to ensure compliance with new safety provisions; and

WHEREAS, the Village had not updated the Village Fire Code since the latest amendments to the Ohio Fire Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MINERVA PARK, COUNTY OF FRANKLIN, STATE OF OHIO:

**Section 1.** That Part Sixteen of the Codified Ordinances of the Village of Minerva Park are amended as depicted in the attached and incorporated **Exhibit A**.

**Section 2.** That it is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code

**Section 3.** That this ordinance shall be declared an emergency necessary to preserve the public health, safety, and peace, to wit: immediate passage brings Village Code into compliance with State of Ohio law regarding fire safety. It shall be effective immediately upon passage.

First Reading: March 28, 2024  
Second Reading: April 11, 2024  
Third Reading: Waived  
Passed: April 11, 2024

\_\_\_\_\_  
Tiffany Southard, Mayor

**ATTEST**

**APPROVED AS TO FORM**

\_\_\_\_\_  
Jeffrey Wilcheck, Fiscal Officer

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Jesse Shamp, Solicitor



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## PART SIXTEEN. FIRE PREVENTION CODE

### CHAPTER 1610. OHIO FIRE CODE<sup>1</sup>

#### Section:

#### 1610.01 Code adopted.

There is hereby adopted as the fire prevention code of the village, for the purpose of prescribing regulations for safeguarding of life and property from the hazards of fire and explosion and from conditions hazardous to life or property in the use or occupancy of buildings or premises, that certain code known as O.A.C. 1301:7-7, the Ohio Fire Code, subject to the amendments provided under the sections of this chapter. At least three (3) copies of the Ohio Fire Code adopted herein are on file with the fiscal officer for inspection by the public and the fiscal officer shall provide copies for distribution to the public at cost.

#### 1610.02 Purpose.

The purpose of the Ohio Fire Code, as adopted in section 1610.01, is to prescribe minimum standards and regulations governing conditions hazardous to life and property from fire or explosion.

#### 1610.03 Application of Code.

The Ohio Fire Code, as adopted in section 1610.01, applies to the use of all lands and properties within the village and such other lands or properties owned by the village which are situated outside the corporate limits thereof.

#### 1610.04 Enforcement; responsibilities of municipal fire safety inspector.

- (a) No person shall serve as a municipal fire safety inspector unless he or she has received a certificate issued by the Ohio Superintendent of Public Instruction under R.C. § 4765.55 evidencing his or her satisfactory completion of a fire safety inspection training program.
- (b) The municipal fire safety inspector, upon examination or inspection, shall issue citations when he or she finds conditions as specified in R.C. § 3737.41 which are especially dangerous to the safety of persons, buildings, premises or property, and shall make any necessary remedial orders in connection therewith. Citation enforcement may be by use of the procedures established by R.C. § 3737.42 for hearing on the citation or

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<sup>1</sup>Cross reference(s)—Fire department and fire protection, see chapter 244; Fireworks, see section 678.10; Open burning, see section 660.08

State law reference(s)—Adoption of technical codes, see R.C. § 731.231; Fireworks, see R.C. Ch. 3743; Gasoline, oils and paint, see R.C. Ch. 3741; Power to regulate against fires, see R.C. §§ 737.27, 3737.22; Power to regulate elevators, stairways and fire escapes, see R.C. § 715.26; Right to examine buildings, see R.C. § 3737.14; State Fire Marshal, see R.C. Ch. 3737

R.C. § 3737.44 for injunctive relief or a temporary restraining order and oral order for vacation of the building or premises.

- (c) The municipal fire safety inspector, upon reasonable belief and after inspection or investigation, shall, with reasonable promptness, issue a citation to the responsible person for a violation of the Ohio Fire Code or any order issued by the Ohio Fire Marshal or any municipal fire safety inspector. The citation shall fix a reasonable time for abatement of the violation. Each citation issued under this division (c) shall be prominently posted by the responsible person, as prescribed by the Ohio Fire Code, at or near each place a violation referred to in the citation occurs.
- (d) Upon request of the municipal fire safety inspector, the law director shall institute and prosecute any necessary action or proceeding to enforce this chapter or R.C. Ch. 3737.

State law reference(s)—R.C. § 3737.34

### **1610.05 Compliance required.**

- (a) No person shall knowingly violate any provision of the Ohio Fire Code as adopted herein or any order issued pursuant thereto.
- (b) No person shall fail to comply with the fire prevention measures or fire protection activities as prescribed in the Ohio Fire Code or fail to comply with the village application and plan submission and processing requirements, including payment of the fees designated therefor.

State law reference(s)—R.C. § 3737.51(A)

### **1610.06 Posting arson laws.**

The owner, operator or lessee of any transient residential building shall post the provisions of R.C. §§ 2909.02 and 2909.03 in a conspicuous place in each room occupied by guests in such building. The owner, operator or lessee of any nontransient residential building, institution, school or place of assembly shall post the provisions of such sections in conspicuous places upon such premises. No person shall fail to comply with this section.

State law reference(s)—R.C. § 3737.61

### **1610.07 Setting fires which spread.**

No person shall set, kindle or cause to be set or kindled any fire which, through his or her negligence, spreads beyond its immediate confines to any structure, field or wood lot.

State law reference(s)—R.C. § 3737.62

### **1610.08 Responsibilities upon discovery of unfriendly fires.**

- (a) The owner, operator or lessee, an employee of any owner, operator or lessee, an occupant, and any person in direct control of any building regulated under the Ohio Basic Building Code, upon the discovery of an unfriendly fire or upon receiving information that there is an unfriendly fire on the premises, shall immediately and with all reasonable dispatch and diligence call or otherwise notify the Columbus Fire Department concerning the fire and shall spread an alarm immediately to all occupants of the building.
- (b) For the purposes of this section, "unfriendly fire" means a fire of a destructive nature as distinguished from a controlled fire intended for a beneficial purpose.
- (c) No person shall fail to comply with this section.

State law reference(s)—R.C. § 3737.63

### **1610.09 Inspections.**

No person who is not a certified fire safety inspector shall act as such or hold himself or herself out to be such unless prior to commencing any inspection function he or she discloses the purpose for which he or she is making such inspection and the fact that he or she is not employed by any state or local fire service or agency and that he or she is not acting in an official capacity for any governmental subdivision or agency.

State law reference(s)—R.C. § 3737.64

### **1610.10 Sale and use of fire equipment; standards; service and repair of equipment.**

- (a) No person shall sell, offer for sale, or use any fire protection or firefighting equipment that does not meet the minimum standards established by the Ohio Fire Marshal in the Ohio Fire Code.
- (b) Except for public and private mobile fire trucks, no person shall service, test, repair or install for profit any fire protection or firefighting equipment without a certificate issued by the Ohio Fire Marshal.

State law reference(s)—R.C. § 3737.65

### **1610.11 File and distribution copies.**

Complete copies of the Ohio Fire Code, as adopted in section 1610.01, are on file with the fiscal officer for inspection by the public. Copies are also on file in the county law library. In addition, the fiscal officer has copies available for distribution to the public, at cost.

### **1610.12 Conflicts of laws.**

- (a) The Ohio Basic Building Code shall supersede and govern any order, standard, rule or regulation of the Ohio Fire Code or the division of state fire marshal, department of commerce, in all cases where any such order, standard, rule or regulation is in conflict with the Ohio Basic Building Code, except that rules adopted and orders issued by the fire marshal pursuant to R.C. Ch. 3743 prevail in the event of a conflict.
- (b) In all other cases of conflict between the Ohio Fire Code and any other village ordinance or technical code adopted thereby, the stricter standard shall control.

State law reference(s)—R.C. § 3781.11(B)

### **1610.99 Penalty.**

#### **(a) *Criminal penalties.***

- (1) Whoever violates section 1610.05(a) is guilty of a misdemeanor of the first degree.
- (2) Whoever violates sections 1610.05(b) or 1610.06 is guilty of a minor misdemeanor.
- (3) Whoever violates sections 1610.07 or 1610.09 is guilty of a misdemeanor of the fourth degree.
- (4) Whoever violates sections 1610.08 or 1610.10 is guilty of a misdemeanor of the third degree.

#### **(b) *Civil penalties.***

- (1) Any person who has received a citation for a serious violation of the Ohio Fire Code or any order issued pursuant to it shall be assessed a civil penalty for each such violation.

- (2) Any person who has received a citation for a violation of the Ohio Fire Code or any order issued pursuant to it, and such violation is specifically determined not to be of a serious nature, may be assessed a civil penalty for each such violation.
- (3) Any person who fails to correct a violation for which a citation has been issued, within the period permitted for its correction, may be assessed a civil penalty for each day during which such failure or violation continues.
- (4) Any person who violates any of the posting requirements, as prescribed by section 1610.04(c), shall be assessed a civil penalty for each violation.
- (5) Due consideration to the appropriateness of the penalty with respect to the gravity of the violation, the good faith of the person being charged and the history of previous violations shall be given whenever a penalty is assessed under this chapter.
- (6) For purposes of this section, a serious violation shall be considered to exist if there is a substantial probability that an occurrence causing death or serious physical harm to persons could result from a condition which exists, or from one (1) or more practices, means, methods, operations or processes which have been adopted or are in use, unless the person did not and could not, with the exercise of reasonable diligence, know of the presence of the violation.
- (7) Civil penalties imposed under this chapter shall be paid to the fiscal officer for deposit into the general fund. Such penalties may be recovered in a civil action in the name of the municipality brought in the court of common pleas.

State law reference(s)—R.C. §§ 3737.51(B)—(H), 3737.99(B)—(E)

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**ORDINANCE NO. 08-2024**

**AN ORDINANCE AMENDING SECTIONS 204.04 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF MINERVA PARK**

WHEREAS, the Village of Minerva Park Council amended the Village Code in 2021 to provide for community input on substantive changes to Village logos and symbols; and

WHEREAS, the amendments have caused significant administrative bottlenecks; and

WHEREAS, the Village Council desires to streamline the process to permit administrative decision making subject to Village Council oversight.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MINERVA PARK, COUNTY OF FRANKLIN, STATE OF OHIO:

Section 1. That Section 204.04 of the Codified Ordinances of the Village of Minerva Park is hereby amended to read as follows:

Any substantive change to logos or symbols of the Village including, but not limited to, the flag or symbols on police symbols or maintenance vehicles must be recommended by either the Mayor or a member of Council. Such recommendation may be ratified by a majority of Council via Resolution. This section does not apply to job positions or titles within the village.

Section 2. That it is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code

First Reading: March 28, 2024  
Second Reading: April 11, 2024  
Third Reading: April 25, 2024  
Passed: April 25, 2024

\_\_\_\_\_  
Tiffany Southard, Mayor

ATTEST

APPROVED AS TO FORM

\_\_\_\_\_  
Jeffrey Wilcheck, Fiscal Officer

\_\_\_\_\_  
Jesse Shamp, Solicitor

**AN ORDINANCE GRANTING A 25-YEAR FRANCHISE TO AEP OHIO, ITS SUCCESSORS AND ASSIGNS, FOR THE RIGHT TO ACQUIRE, CONSTRUCT, MAINTAIN AND OPERATE IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES, AND PUBLIC PLACES OF THE VILLAGE OF MINERVA PARK, STATE OF OHIO, AND ITS SUCCESSORS, LINES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC ENERGY TO THE VILLAGE OF MINERVA PARK, AND THE INHABITANTS THEREOF FOR LIGHT, HEAT, POWER, AND OTHER PURPOSES, AND FOR THE TRANSMISSION AND DISTRIBUTION OF THE SAME WITHIN THROUGH, OR ACROSS SAID VILLAGE OF MINERVA PARK, STATE OF OHIO.**

**WHEREAS**, the Village of Minerva Park was previously a party to a 25-year franchise agreement with the successor to Ohio Power Company for the same interests created herein; and

**WHEREAS**, the Village desires to continue the partnership which provides access to AEP Ohio to provide electric services to the residents of Minerva Park.

Now, **THEREFORE**, Be it ordained by the Council of the Village of Minerva Park, Franklin County, State of Ohio:

**Section 1.** Ohio Power Company, its successors, and assigns (hereinafter called “Grantee”) are hereby granted the right, privilege, franchise, and authority to acquire, construct, maintain, and operate in, above, under, across, and along the streets, thoroughfares, alleys, bridges, and public places (as the same now exist or may hereafter be laid out) of the Village of Minerva Park, State of Ohio, lines for the transmission and distribution of electric energy, either by means of overhead or underground conductors, together with all necessary or desirable appurtenant equipment, to render public utility service in said Village and to the inhabitants thereof by supplying electric energy to said Village and the inhabitants thereof, and persons or corporations beyond the limits thereof for light, heat, power, or any other purposes or purpose for which electric energy is now or may hereafter be used, and the transmission and distribution of the same within, through, or across said Village of Minerva Park, State of Ohio.

**Section 2.** Said lines and appurtenant equipment shall be constructed in a manner that shall not unreasonably interfere with the traveling public in its use of the streets, thoroughfares, alleys, bridges, and public places.

**Section 3.** The rights, privileges, and franchise hereby granted shall be in force and effect for an initial term of twenty-five (25) years from the date of the passage of this Ordinance. Thereafter this franchise shall continue for successive one-year terms, unless either party hereto provides written notice of its intention not to renew at least one year prior to the term expiration. The rights, privileges, and franchise hereby granted shall not be construed to be exclusive and the Council of the Village of Minerva Park hereby reserves the power to grant similar rights, privileges, and franchises to any other person or persons, firm or firms, corporation or corporations.

**Section 4.** Said Grantee shall save the Village harmless from any and all liability arising in any way from Grantee’s negligence in the erection, maintenance, or operation of said lines for the distribution and transmission of electric energy, except to the extent such liability arises out of the contributory negligence or willful misconduct of the Village.

**Section 5.** Whenever said Grantee shall begin the erection or installation of any lines or equipment, it shall promptly and diligently prosecute the work to completion and leave the streets, thoroughfares, alleys, bridges, and public places where such work is done in as good condition of repair as before such work was commenced.

**Section 6.** Wherever in this Ordinance, reference is made to the Village or the Grantee, it shall be deemed to include the respective successors or assigns of either; and all rights, privileges, franchises, and obligations herein contained by or on behalf of said Village, or by or on behalf of said Grantee, shall be binding upon, and inure to the benefit of the respective successors or assigns of said Village, or of said Grantee, whether so expressed or not.

**Section 7.** This Ordinance shall be accepted by the Grantee within sixty (60) days from the date of the passage of same.

First Reading: April 11, 2024  
Second Reading: April 25, 2024  
Third Reading: May 9, 2024  
Passed: May 9, 2024

\_\_\_\_\_  
Tiffany Southard, Mayor

**ATTEST**

**APPROVED AS TO FORM**

\_\_\_\_\_  
Jeffrey Wilcheck, Fiscal Officer

\_\_\_\_\_  
Jesse Shamp, Solicitor

**ORDINANCE NO. 09-2024**

Item # 21.

Passed in Council, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
President of Council

Clerk \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor of the Village of \_\_\_\_\_

0128887.0615708 4868-9351-9027v1



GRANTING FRANCHISE TO COLUMBUS SOUTHERN POWER COMPANY TO CONSTRUCT, MAINTAIN AND OPERATE LINES AND APPURTENANCES AND APPLIANCES FOR CONDUCTING ELECTRICITY IN OVER, UNDER AND THROUGH THE STREETS, AVENUES, ALLEYS AND PUBLIC PLACES OF THE Village OF Minerva Park

BE IT ORDAINED BY THE Council OF THE Village OF Minerva Park STATE OF OHIO:

SECTION 1: That Columbus Southern Power Company, a corporation organized under the laws of the State of Ohio, its successors and assigns, (hereinafter called "Company") is hereby granted the right, privilege, franchise and authority to acquire, construct, maintain and operate in, above, under, across and along the streets, alleys, thoroughfares, bridges and public places, as the same now exist or may hereafter be laid out, in the Village of Minerva Park, State of Ohio, (hereinafter called the "Municipality"), lines for the transmission and distribution of electric energy, either by means of overhead or underground conductors, with all necessary or desirable appurtenances and appliances, including electric substations, for the purpose of supplying electric energy to said Municipality and the inhabitants thereof and persons or corporations beyond the limits thereof for heat, power or any other purpose or purposes for which electric energy is now or may hereafter be used.

SECTION 2: The Company shall fully indemnify and save harmless the Municipality from any and all damages, costs and expenses of every kind occasioned by the sole negligence of the Company in exercising any of its rights, privileges, franchises and obligations under this Ordinance.

SECTION 3: Whenever the Company shall begin the erection or installation of any of such lines or equipment it shall leave the streets, alleys and other public places where such work is done in as good condition or repair as they were before such work was commenced.

SECTION 4: The rights, privileges and franchises hereby granted shall not be effective prior to acceptance of this Ordinance by the Company and shall terminate on October 15, 2016

SECTION 5: Whenever in this Ordinance the Municipality or Company is referred to, such reference shall be deemed to include the respective successor or assign of either, and all rights, privileges, franchises and obligations herein contained shall bind and inure to the benefit of such respective successor or assign, in which event the predecessor of such successor or assign is divested of all such rights, privileges, franchises or obligations, whether so expressed or not.

SECTION 6: The terms and provisions of this Ordinance are joint and several, and the invalidity of any part shall not affect the validity of the remainder of the Ordinance.

SECTION 7: This Ordinance shall take effect from and after the earliest period allowed by law.

Passed this 14th day of October, 19 91

ATTEST:

Jack R. Murray  
President of Council

Bern L. Beattie  
Clerk Treasurer

APPROVED \_\_\_\_\_  
David R. Blair  
Mayor

**AN ORDINANCE TO ADOPT CHAPTER 810.10 TO THE CODIFIED ORDINANCES OF THE VILLAGE OF MINERVA PARK, OHIO**

**WHEREAS**, the Council of the Village of Minerva Park, Ohio adopted a code of ordinances

**WHEREAS**, Council wishes to add a chapter designated as 810.10 in regard to short term rentals

**NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE OF MINERVA PARK, FRANKLIN COUNTY, STATE OF OHIO:**

**Section 1:** Chapter 810.10 as presented in exhibit A is hereby added to the codified Ordinances of the Village of Minerva Park

**Section 2.** It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

First Reading: April 11, 2024  
Second Reading: April 25, 2024  
Third Reading: May 9, 2024  
Passed: May 9, 2024

\_\_\_\_\_  
Tiffany Southard, Mayor

**ATTEST**

**APPROVED AS TO FORM**

\_\_\_\_\_  
Jeffrey Wilcheck, Fiscal Officer

\_\_\_\_\_  
Jesse Shamp, Solicitor

## § 810.01 DEFINITIONS.

For the purposes of this chapter, the following terms, phrases, and words shall have the meanings given to them herein.

**DWELLING.** Any building or structure which is occupied or intended for occupancy in whole or in part as a home, residence, or sleeping place for one or more persons.

**GUESTROOM.** A room offered to the public for a fee that contains, at a minimum, provisions for sleeping.

**HOSTING PLATFORM.** A person or entity that participates in the transient rental business by providing, and collecting or receiving a fee for, booking service through an online platform that allows an operator to advertise the transient rental unit through a website hosted by the hosting platform. Examples include, but are not limited to, Airbnb, VRBO, and HomeAway.

**PERMANENT OCCUPANT.** Persons who reside in a dwelling more than 51% of the time during a calendar year; the dwelling in which the persons reside shall be referred to as their primary residence.

**PRIMARY RESIDENCE.** A residence that is the usual place of return for housing as documented by at least two of the following: motor vehicle registration, driver's license, tax documents, lease copy or a utility bill. An owner or permanent occupant can only have one primary residence.

**SHORT-TERM RENTAL.** Any room or dwelling that is rented wholly or partly for a fee for less than 30 consecutive days by persons other than the permanent occupant or owner from which the permanent occupant or owner receive monetary compensation, whether such compensation is paid directly by the short-term rental guest or is collected and remitted to the permanent occupant or owner by a hosting platform. **SHORT-TERM RENTAL** does not include a room in any hotel or motel, as defined elsewhere in the Codified Ordinances. **SHORT-TERM RENTAL** also does not include corporate housing, meaning temporary housing provided through an entity for which an affidavit in a form satisfactory to the Mayor or his or her designee has been completed attesting that such entity is engaged primarily in the business of providing temporary housing services for corporate clients, regardless of duration.

**SHORT-TERM RENTAL GUESTS.** Persons renting temporary lodging from a short-term rental host, or through a hosting platform on behalf of the short-term rental host, for less than 30 consecutive days.

**SHORT-TERM RENTAL OPERATION or OPERATION OF A SHORT-TERM RENTAL.** The occupancy for a fee of any room or dwelling in a short-term rental by a transient guest.

**TRANSIENT GUESTS.** Persons occupying a room or rooms for sleeping accommodations for less than 30 consecutive days.

## **§ 810.02 RESTRICTIONS AND REQUIREMENTS.**

Short-term rental operators are prohibited from renting any room or dwelling to transient guests within the Village of Minerva Park unless either the owner, the permanent occupant of the property, or an adult family member of the owner or permanent occupant is present for the duration of each rental period.

## **§ 810.03 REGISTRATION REQUIRED.**

(A) No person, including but not limited to an owner, operator, manager, or employee shall engage in, conduct, or carry on, or permit to be engaged in, conducted or carried on, in or upon any premises in the Village of Minerva, the operation of a short-term rental in a calendar year without registering in accordance with this chapter.

(B) A registration application may be submitted at any time to the Mayor, or his/her designee. If the registration application is approved, such registration shall take effect on the day of approval and shall expire on December 31st of the year approved; provided, however, that if an initial registration application is approved on or after September 1, the registration shall be effective until December 31 of the next calendar year.

(C)(1) Registration to operate a short-term rental shall be renewed by the applicant before the end of each calendar year.

(2) The deadline for submitting an application for renewal shall be the first Monday of November of the year in which the registration is set to expire. Failure to renew shall result in expiration on December 31st. If a permit is successfully renewed, it shall be in effect for the next calendar year, beginning on January 1st and expiring on December 31st of the same year.

(D) The short-term rental operator must maintain a copy of the permit on premises.

## **§ 810.04 SHORT-TERM RENTAL REGISTRATION, NEW AND RENEWAL.**

(A) An application for a short-term rental permit, and/or renewal of a permit, shall be made to the Mayor, or his/her designee, upon approved forms, for an application fee of \$250. Village Council shall have authority to amend the fee amount from time to time to reflect the costs of administering this chapter.

(B) The application for a permit to operate a short-term rental shall contain the following information:

(1) Name of the applicant, including mailing address, telephone number, and email address;

(2) Sufficient information to demonstrate compliance with the permanent occupancy or ownership requirements outlined in § 810.02;

(3) The names of all hosting platforms that are used by the short-term rental host and proof of rental insurance for the unit rental;

(4) The names of all advertising outlets in which the short-term rental host intends to advertise such rental if the short-term rental host is not using a hosting platform;

(5) The maximum number of occupants that will be accommodated at the short-term rental, not to exceed two per bedroom;

(6) The maximum number of motor vehicles that will be permitted to park at the short-term rental; this number shall not exceed the number that can be garaged on-premises, plus two that may park in a driveway, plus two that may park on-street;

(7) An affidavit attesting that the short-term rental operation is in compliance with all applicable local, state, and federal laws and regulations concerning the provision of sleeping accommodations to transient guests.

(C) The applicant must notify the Mayor, or his/her designee, of any change in information contained in the permit application within ten days of the change.

(D) Any change in ownership of the dwelling shall void the current registration and shall require submission and approval of a new registration application.

(E) A contact name and number for the rental host and permanent occupant that may be used 24/7 for any issues related to the short-term rental unit or transient guests.

#### **§ 810.05 SHORT-TERM RENTAL OPERATOR; REQUIREMENTS.**

(A) *Short-term rental host requirements.*

(1) One short-term rental registration per owner or permanent occupant may be issued.

(2) If a short-term rental host is not the property owner, but a permanent occupant of the dwelling, the host shall obtain permission from the property owner of the dwelling to register the dwelling on any hosting platform or to advertise the dwelling in any other manner for use as a short-term rental.

(3) Short-term rental operators are not permitted to rent any room or dwelling to transient guests unless the owner of the property or an adult family member of the owner is present for the duration of the rental.

(4) Rentals for 30 or more consecutive days by the same guest(s) will not be subject to short-term rental regulations.

(B) *Records required.* Short-term rental hosts that offer short-term rentals shall retain and, upon request, make available to the Mayor, or his/her designee, official records to demonstrate compliance with this section, including, but not limited to, primary residency, the dates and duration of each stay in the short-term rental, the rate charged for each short-term rental on each night, the maximum occupancy permitted at the short-term rental, and the maximum number of motor vehicles permitted at the short-term rental.

#### **§ 810.06 GROUNDS FOR DENIAL.**

(A) The Mayor, or his/her designee, shall approve a registration, or grant the renewal of an existing registration, except as provided in divisions (B) and (C) of this section.

(B) The Mayor, or his/her designee, shall deny any application for a new registration, or renewal of registration, if any of the following are shown to have occurred at the short-term rental property:

(1) The applicant makes a material misrepresentation of fact on the application;

(2) The short-term rental has a documented history of repeated conduct that endangers neighborhood safety or of conditions interfering with the use and enjoyment of property within its vicinity.

(C) Evidence of conduct under divisions (A) and (B) of this section need only be that of de facto violation of law; evidence of conviction is not a prerequisite for denial unless specifically indicated.

### **§ 810.07 REVOCATION OF REGISTRATION.**

(A) The Mayor, or his/her designee, may revoke a short-term rental registration if a unit is perpetuating conditions interfering with use and enjoyment of properties within its vicinity. Conditions interfering with use and enjoyment of properties within the vicinity of a short-term rental include, but are not limited to:

(1) Noise audible beyond the boundary of the property on which the short-term rental is located;

(2) Occupancy by a number of short-term rental users exceeding the maximum number included in the registration for the short-term rental;

(3) Parking of a number of motor vehicles exceeding the maximum number included in the registration for the short-term rental;

(4) Uninvited entry of short-term rental occupants upon private property within 500 feet of the short-term rental; or

(5) The primary occupant of the residence is not present during the term of the rental.

(B) A violation of any of the conditions in § 810.07(A) shall result in progressive discipline:

(1) Upon the first violation, the registration for the short-term rental shall be terminated and the short-term rental host prohibited from re-registering for six months from the date of termination.

(2) Upon the second violation, the registration for the short-term rental shall be terminated and the short-term rental host prohibited from re-registering for one year from the date of termination.

(3) Upon the third violation, the registration for the short-term rental shall be terminated and the short-term rental host prohibited from re-registering at any time in the future.

**§ 810.08 TRANSFER OF SHORT-TERM RENTAL REGISTRATION PROHIBITED.**

No registration under this chapter shall be transferable to another short-term rental operation.

**§ 810.09 DISCRIMINATION PROHIBITED.**

(A) A short-term rental host shall not:

(1) Decline a short-term rental guest based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status, or military status;

(2) Impose any different terms or conditions based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status, or military status;

(3) Post any listing or make any statement that discourages or indicates a preference for or against any short-term rental guest on account of race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status, or military status.

**§ 810.11 SEVERABILITY.**

In the event any section or provision of this chapter shall be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of this chapter as a whole or any part thereof other than the part so declared to be invalid or unconstitutional.

**§ 810.99 PENALTY.**

Whoever violates any provision of this chapter shall be guilty of an unclassified misdemeanor and shall be fined not more than \$250. Upon subsequent convictions, the penalty shall be an unclassified misdemeanor but the guilty party shall be fined not more than \$1,000, in addition to any other penalties as imposed by this chapter.

**RESOLUTION 2024-09**

**A RESOLUTION AUTHORIZING THE PURCHASE OF EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY POLICY AND APPLYING THAT POLICY TO THE VILLAGE’S FISCAL OFFICER AND ASSISTANT FISCAL OFFICER.**

**WHEREAS**, the Village of Minerva Park is a member of the Public Entities Pool (PEP), a political subdivision risk pool established pursuant to Ohio Revised Code (“R.C.”) § 2744.081; and

**WHEREAS**, in accordance with R.C. § 3.061, the Village of Minerva Park may adopt a policy by resolution to allow the use of an “employee dishonesty and faithful performance of duty” coverage document, rather than a surety bond, to cover loss by fraudulent or dishonest actions of employees and failure of employees to faithfully perform duties; and

**WHEREAS**, R.C. § 3.061(B) allows the employee dishonesty and faithful performance of duty policy to cover any other individuals that the Village determines; and

**WHEREAS**, the Village of Minerva desires to adopt such a policy for the Village’s Fiscal Officer and the Village’s Assistant Fiscal Officer.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MINERVA PARK, FRANKLIN COUNTY, OHIO, THAT:**

**Section 1:** The Village of Minerva Park agrees to purchase an employee dishonesty and faithful performance of duty policy to cover the Village’s Fiscal Officer and the Village’s Assistant Fiscal Officer.

**Section 2:** The Village of Minerva Park authorizes the Village’s Fiscal Officer to apply the employee dishonesty and faithful performance of duty policy to the Village’s Fiscal Officer and the Village’s Assistant Fiscal Officer.

**Section 3:** It is hereby found and determined that all formal actions of the Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that any and all deliberations of this Council and any of its committees that resulted in such a formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

**Section 4:** This resolution shall take effect at the earliest period allowed by law.

First Reading: March 28, 2024  
Second Reading: April 11, 2024  
Third Reading: April 25, 2024  
Passed: April 25, 2024

\_\_\_\_\_  
Tiffany Southard, Mayor

**ATTESTS:**

**APPROVED AS TO FORM**

\_\_\_\_\_  
Jeffrey Wilchek, Fiscal Officer

\_\_\_\_\_  
Jesse Shamp, Solicitor



**A RESOLUTION TO AMEND THE RULES OF COUNCIL AND CALENDAR AS WAS APPROVED IN RESOLUTION 2024-01 AND DECLARING AN EMERGENCY**

**WHEREAS**, the Council of the Village of Minerva Park has approved Resolution 2024-01 Rules of Council on February 22, 2024

**WHEREAS**, Village Council would like to amend the Rules of Council as presented in exhibit A

**NOW, THEREOFRE, BE IT RESOLVED BY COUNCIL OF THE VILLAGE OF MINERVA PARK, FRANKLIN COUNTY, STATE OF OHIO, THAT:**

**Section 1.** Rules of council will now reflect changes as shown in exhibit A.

**Section 2.** It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in open meeting of this Council and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

First Reading: April 11, 2024  
Second Reading: April 25, 2024  
Third Reading: May 9, 2024  
Passed: May 9, 2024

\_\_\_\_\_  
Tiffany Southard, Mayor

**ATTEST**

**APPROVED AS TO FORM**

\_\_\_\_\_  
Jeffrey Wilcheck, Fiscal Officer

\_\_\_\_\_  
Jesse Shamp, Solicitor

Revised ~~2/2024~~/2024

Rules of Council  
Rules of Conduct 2024

Village of Minerva Park  
Minerva Park, Ohio

**2829 Minerva Lake Road  
Columbus, Ohio 43231  
614-882-5743**

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Committees-Appointment of Standing Committees ..... ~~1544~~

Committee Chairperson Responsibilities ..... [1745](#)  
Committee Meeting Notification and Posting ..... [1746](#)  
Sub-Committee Rules and Responsibilities ..... [1746](#)  
EXHIBIT A..... [1948](#)

VILLAGE OF MINERVA PARK  
Rules of Council

**Filling Vacancies on Council**

When a vacancy arises on council either through a council member vacating an unexpired term or because no one ran to fill a 4-year term, there will be a call for citizens to indicate their interest in filling the unexpired or vacant term. Such a call will be made through announcements in the Village Email Update, the Village Newsletter, communications from council members/others knowing of the vacancy, and announcements placed at appropriate places in the village including—posting on Facebook, Instagram, and posting on the Village Website. Such announcements will include the date by which citizens should indicate their interest.

The deadline for council to fill the vacancy is thirty days from the date the resignation becomes effective, either by an acceptance vote of council or by the future effective date provided by the resignation letter. If the vacancy arises because no one ran to fill a 4-year term, the vacancy is effective on January 1st of the beginning of the unfilled term. If council is unable to select a replacement 30 days from the date the vacancy became effective, the mayor may fill it by appointment.

To indicate interest, a citizen must submit a resume and letter of intent to the mayor or any of the council members. Once the mayor or council member receives the resume and letter, he/she will immediately see that all members of council receive copies. If no regular meeting is scheduled, a special meeting will be scheduled as soon as possible after the deadline in order for the interested citizens to appear in person before the mayor and council to both ask and answer questions.

Every effort should be made to have all council members present to interview and select a new member. At least four members of council must be present in order to call a regular or special meeting to interview, select and vote to fill a vacancy. Filling the vacancy will be the first order of business on the agenda.

**Process for Voting on Candidates to Fill Vacancy(s):**

**1. In the event of one or two vacancies on the Village Council, the following procedure shall be followed:**

- a. A motion and a second shall be taken and a subsequent vote shall be made to fill one vacancy at a time.**
- b. Once the first vacancy is filled, the second vacancy shall be filled through the same procedure.**
- c. At least four members of Council must be present during such votes and at least 3 votes must be cast in favor of any nominated candidate in order for the candidate to fill the vacancy.**

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2. In the event of three vacancies on Village Council, a meeting may be called with all remaining members of the Village Council for the sole purpose of nominating and appointing new members.

3. In the event of four or more vacancies, the Mayor shall appoint a council member and administer the oath of office until there are at least 3 members of Council such that the above noted procedures can be followed.

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- ~~1. A motion is made to appoint one of the candidates, and a vote is taken.~~
- ~~2. If there are multiple vacancies, the voting will be done one position at a time.~~
- ~~3. The vacancy of shortest duration will be filled first.~~
- ~~4. If there are one or two vacancies on council at one time, there must be at least four council members present to proceed with the voting.~~
- ~~5. Whether there are four or five members of council present to select a new member, at least three votes must be cast in favor of any one individual for that person to be selected.~~
- ~~6. In no instance would a person be voted to council with fewer than three votes.~~
- ~~7. That person can be placed on council.~~
- ~~8. Sworn in by the mayor.~~
- ~~9. Begin his/her duties immediately.~~
- ~~10. In the unlikely event that there are three or more vacancies on council at one time, a meeting can be called to order with all present. Appointing a new member or members is the first and only item to be acted upon.~~
- ~~11. In the case of three vacancies:~~
- ~~12. If any one person receives all three votes of the council members present, that person is immediately sworn in by the mayor. At that point there are now four on council, the new member may vote, and there are the four members present for the quorum to conduct business.~~
- ~~13. If there are four or more vacancies:~~
  - ~~a. The mayor will proceed to appoint a council member and swear that council member in, one member at a time, until there are three members on council. At that point, the remaining vacancies can be filled as stated above.~~

Unless otherwise decided by the mayor and council, the person filling the vacancy will serve on all the committees as the person being replaced until the end of the year. However, if the person being replaced was chair of the committee, the mayor and council may appoint one of the existing committee members to serve as chair for the remainder of the year.

**Excusal from Attendance at Regular Council Meetings and Absence without Valid Excuse**

A council member shall be excused from attendance at a regular or special meeting of

council upon notification to the mayor prior to such meeting. If the council member does not notify the mayor of the anticipated absence and asks to be excused, the absence shall be noted as an absence without a valid excuse. Pursuant to Ohio Revised Code Section 705.13, unless waived by two thirds vote of all members, each unexcused absence from a regular meeting will result in a salary reduction equaling two percent of the annual salary. The vote will be taken immediately after Roll Call is completed.

**Repeated Absence from Attendance**

Council may declare a councilperson's seat vacant for absence when such absence has been continuous for two months. Said hearing for said expulsion shall be pursuant to Ohio Revised Code Section 731.45 and pursuant to other Ohio Revised Code sections pertaining to the conduct of council meetings.

**Commented [JC1]:** Made this change after our discussion during the 2/8 meeting

**Excusal During Meeting**

No member shall be excused while council is in session except upon permission of the chair.

**Meetings****Regular Meetings**

Regular meetings of council shall be held at the Community Building at 7:00 p.m. on the second and fourth (when possible) Thursday of each month (January through December). See last page: Annual calendar. Council may, by majority vote, change the day and hour of holding any regular meetings with proper notification, or adjourn the same to a day and hour determined by a like vote of the members present if constituting a quorum.

**Special Meetings**

Council shall hold special meetings as may be found necessary to discuss specific issues. Such meetings will be posted by the Village Staff upon the written or verbal request of the mayor or upon the written or verbal request of three council members. Requests made by email sent to all council members and the Fiscal Officer are considered valid written requests for special meetings.

**Work/Study Sessions**

Regular Work/Study Sessions of Council shall be held at the Community Building at 7:00 pm on the Thursday before the first council meeting of each month (January through December). Additional Work Sessions may also be scheduled as needed, as determined by the mayor and council, including before or after regular or special sessions of the council. Meetings are held at the Community Building or other public place within the corporate limits of the Village of Minerva Park

All council members should be notified of work/study sessions by email or phone at least 24 hours in advance. All meetings shall be open to the general public and notification shall be made in accordance with the section "Postings of Regular, Special, and Work/Study Session Meetings" of these rules and in compliance with the Ohio Revised Code.

There shall be no discussion or participation in deliberations of council by the public in its work/ study sessions. However, specific residents or other individuals may be deliberately invited to participate in a work/study session when the topic of the work/study session directly relates to that citizen or individual. No resolution, regulation, rule, ordinance, or formal action of any kind shall be adopted at a work/study session.

Occasionally, Council may schedule an informal meeting where residents are invited to talk on any topic related to the Village.



### **Postings of Regular, Special, and Work/Study Session Meetings**

**Commented [JC2]:** What about committee meetings?

Special meetings and Work Session announcements must be placed in the following locations at least 24 hours before the scheduled meeting. The ORC calls for 5 different places. Currently, the Administration places them as follows:

1. On the electronic sign in front of 2829 Minerva Lake Rd.
2. On the sandwich board in front of the Municipal Building
3. Message board near the pond on Black Sycamore
4. Message board near the intersection of Briar Rose and Lakewood
5. In or on the board at the playground area on Maplewood Road
6. On the village website
7. In or on the board at the pool (from Memorial Day through Labor Day only)
8. In addition: The Columbus Dispatch can also be notified by emailing legaladvertising@dispatch.com or calling 614-461-8759.

Should the Fiscal Officer be unavailable, the Mayor's Administrative Assistant, the President of Council or any council member can also post the announcements.

### **Notification to Members and Topics at Special Meeting**

Any such vote or request for the calling of a special meeting shall state the subject or subjects to be considered at the special meeting. Twenty-four (24) hours' notice of such special meeting, if called by the mayor or by three members of council, shall be given to each member of council and to the mayor by email or phone. Council members are encouraged to state their preferred means of notification to the Mayor and Fiscal Officer. It should be noted that Ohio Revised Code 731.46 states that notice if given "upon at least twelve hours' notice to each member, served personally or left at his usual place of residence". It is our intention to give 24 hours' notice to allow all council members time to prepare for the meeting.

### **Calling the Meeting to Order, Roll Call, Quorum**

The mayor, or in his/her absence, the president pro tempore of council, shall take the chair at the hour appointed for council to meet, and immediately shall call the council to order. The roll shall then be called by the mayor or the president of council in the absence of the mayor, who shall enter in the minutes of each meeting the names of members present thereat. A quorum must be present to hold the meeting. A quorum is defined as the majority of all members of council. Minerva Park has six council seats; a quorum is four or more members. In the absence of a quorum at the time appointed for a meeting, the members present may, by a majority vote of those present, take a recess or recesses and procure the attendance of an absent member. If a quorum cannot be formed, the meeting shall not be held. However, a special meeting to be held in the future could then be called according to the council rule concerning special meetings above.

**Temporary Chair**

In case of the absence of the mayor and the president pro tempore of council, a designee of the mayor shall call the meeting to order. The designee shall call the roll, and if a quorum is found to be present, the council shall proceed to elect by a majority vote a temporary chairperson of the meeting until the appearance of the mayor or president pro tempore of council.

**Appeals from Decisions of the Chair**

The mayor or president pro tempore of council shall preserve decorum and decide all questions of order, subject to appeal to council. If any member transgresses the rules of council, the chair shall, or any member may, call him/her to order and in the latter instance the chair shall render a decision as to the point of order. In case of an appeal from a ruling of the chair, the question shall be "Shall the decision of the chair stand as the decision of council?" The chair shall be sustained unless overruled by a majority vote of the members of council present.

**Chairs Power to Vote**

The mayor shall have no vote except in the event of a tie vote of members of council present, in which case the mayor shall have the power to vote and his/her vote shall have the same legal effect as a vote of a member of council. However, any member of council who is serving as chairman shall have the same power to vote as other members.

**Rules of Conduct During Council Meetings**

Members of council agree to abide by the Rules of Conduct as described in Resolution 2018-28. Council Members mutually agree to self-monitoring of their conduct.

**Limitation of Debate**

Each member of council shall confine him/herself to a maximum of ten (10) minutes of time on a single topic.

**Voting**

When a question or motion is put forth for a vote, all members shall vote on same. While abstentions are discouraged, an abstention is often appropriate if the council member is not adequately informed as to the issue being decided upon or has a conflict of interest. If a council member knows he/she should abstain because there is a conflict of interest, he/she should state that there is a conflict of interest before discussion begins. The council member then leaves the room during discussion and voting.

**Division of a question or motion**

On demand of any member, a question or motion under consideration which covers two or more points shall be divided where the question or motion admits of such division.

**Demand for Roll Call**

Any member may demand a roll call vote upon any question or motion before council at any time before the decision of said question or motion is announced by the chair.

**Order of Business**

Order of Business for the first regular meeting of the month shall include:

- Call to Order
- Roll Call and vote on compensation of absent members (for unexcused absence)
- Pledge of Allegiance
- Minutes of previous meetings
- Village Official Reports-Preferred Order
  - Police Department
  - Fiscal Officer
  - Engineer
  - Law Director
  - Village Planner
  - Zoning Officer
  - Planning & Zoning
  - MPCA
- Council Committee Reports-Preferred Order
  - Services
  - Recreation & Parks
  - Finance
  - Streets
  - Safety
  - Legislation
- Mayors Report
- Invited Guests
- Citizen Comments
- Legislation
- Old Business
- New Business
- Adjourn

\*The specific order of these reports can be modified as needed

The Order of Business for the second regular meeting of the month will include, but not be limited to:

- Roll Call and vote on Compensation of absent members
- Pledge of Allegiance
- Invited Guests
- Citizen Comments
- Legislation
- Old Business
- New Business
- Adjournment

### **Citizen Interaction During Council Meetings**

Council meetings are public business meetings of the Minerva Park Council. As such, all citizen comments must be orderly, civil, and courteous and pertain to current issues and topics of business before council.

Citizens may comment (see Agenda) Immediately Before Legislation is Read.

Citizens will come to the podium, one at a time, stating their name and address clearly. Each citizen has a maximum time allocation of 3 minutes, while the totality of all Citizens Comments portion of the meeting shall not exceed 30 minutes. of the mayor or presiding chair, there can be discussion surrounding the topic. However, realizing that the council meeting is an orderly business meeting, the discussion should always directly pertain to the business at hand.

The Mayor or President of Council may recognize any nonmember of council for the purpose of asking a brief question that clarifies for the citizen the topic before council.

Any group of four or more, or a delegation of four or more, wishing to appear before council should direct a letter to the Fiscal Officer and a copy to the mayor in such time that it will be received no later than 72 hours before a regular council meeting or no later than 24 hours before a special council meeting. At that time, council members shall also be notified by the Mayor or Fiscal Officer. This rule is not intended for an individual, or groups of two or three individuals, but larger groups that wish to address an issue at a council meeting. The purpose of this is to give council ample time to research and consider the problem to be presented and discussed at the next meeting. Such a group shall choose a spokesperson to initially present the issue to council, and then other members of the group may be recognized to give comments directly related to the issue when the group has been recognized to speak on the committee topic.

At all times, speakers must be civil and courteous and address topics and issues before Council. For a further definition of civil and courteous, please see Rules of Conduct. (Exhibit A)

In the event residents become unruly, a five-minute recess may be declared by the mayor or the council pro tem. Residents may be escorted outside and be brought back into the council chambers one at a time to present their comments.

## **Motions**

Once a motion is made and seconded, it is open for debate. Any member may request that the motion be restated or be reduced to writing. A motion may be withdrawn by the mover with consent of the person who seconded the motion. Unless otherwise required by law, a motion shall be deemed passed if it receives the affirmative vote of a majority (or other required number when mandated by law) of the members who voted including the chair if entitled to vote thereof.

## **Order of Precedence**

When a question of motion is before council, no motion shall be entertained except the following subsidiary motions:

- a) To adjourn
- b) To lay on the table
- c) The previous question or motion
- d) To postpone to a time certain
- e) To refer
- f) To amend
- g) To postpone indefinitely

Said motions shall have precedence in the foregoing order.

## **Motion to Adjourn**

Motion to adjourn shall be in order at any time, except as follows:

- a) When repeated without intervening business or discussion
- b) When made while another member is speaking
- c) When the previous question or motion has been ordered
- d) While a vote is being taken

A motion to adjourn is not debatable except as to time to which the meeting is adjourned.

## **Motion to Lay on the Table**

A motion to lay on the table shall preclude all amendments or debate of the subject under consideration. If the motion prevails, the consideration of the subject may be resumed only upon motion of a member voting with the majority and with the consent of the majority of the members present.

## **Previous Questions or Motion**

The previous question or motion shall be stated in these words: "Shall debate now close?" The motion shall pass if two-thirds (2/3rds) of the members present shall favor it. If the said motion is ordered, there shall be no further amendment of debate, but the question or motion shall be put immediately.

## **Motion to Postpone to a Certain Time**

Motions to postpone may be amended to time, excepting a motion to postpone indefinitely. If a motion to postpone indefinitely is carried, the principal question or motion shall be declared lost.

**Motion to Refer**

When discussion on a motion is demanding a considerable amount of meeting time, it is permissible to move to refer the discussion to a committee or work session so that discussion can take place in a more informal setting and with plenty of time to work on details.

**Motion to Amend**

A motion to amend shall be susceptible but of one amendment. An amendment once rejected may not be moved again in the same form.

Commented [JC3]: What? This does not make sense

**Motion to Postpone Indefinitely**

If a motion to postpone indefinitely is carried, the principal question or motion shall be declared lost.

**Motion to Suspend Rules and Votes Required**

A motion to pass legislation requires a vote of at least a majority of all the members of council. Minerva Park Village council has six members on council; four affirmative votes are needed to pass a piece of legislation.

A motion to pass legislation as emergency legislation requires two-thirds (2/3) vote of the members of council. Minerva Park Village council has six members on council; four votes are needed to pass legislation as emergency legislation.

A motion to suspend the rule which requires that each ordinance or resolution shall be read on three different days must receive by roll call vote the affirmative vote of three-fourths of the members of council. Minerva Park Village council has six members on council; three fourths of council shall be deemed to be five members supporting the motion to suspend the rule. Upon the passage of such motion, the main question or motion shall be open to debate.

A majority of members of council present without debate may vote to suspend all other rules not inconsistent with Ohio Revised Code.

### **Motion to Reconsider**

A motion to reconsider a proposal that has been acted upon favorably must be made before adjournment of the session of council at which the vote was taken. A motion to reconsider any other action taken by council may be made not later than the next regular meeting after the vote of council thereon. In either case, only a member who voted with the prevailing side may make such motion. The concurrence of a majority of the members present shall be sufficient for reconsideration of a vote. If a motion to reconsider is lost, it shall not be entertained again in the calendar year in which it was initially presented.

### **Ordinances and Resolutions**

Each ordinance and resolution shall be read by title only, provided the council may require any reading to be in full by a majority vote of its members. Each ordinance or resolution shall be read on three different days, provided the council may dispense with this rule by a vote of at least three fourths of its members. See Motion to Suspend Rules.

Ordinances, resolutions, and motions not receiving a second to be passed shall be deemed to have been defeated and will be declared lost.

From time to time, council makes corrections to ordinances or resolutions as they are presented to council. If these corrections are simply typographical or to clarify a matter, which might appear ambiguous to some by reading the same, it may be corrected after it is passed. However, if the change is substantive in nature as to what is being legislated, that piece of legislation should be withdrawn, and new legislation presented which accurately states the purpose and intent of the legislation. In all cases, the public and the citizens must have time to review and analyze said substantial corrections or changes to legislation.

### **Executive Session - Explanation and Rules of Engagement**

In line with the current Ohio Sunshine Laws, all council meetings, special meetings, work sessions, and all meetings of any committee are declared to be public meetings open to the public at all times. There are limited exemptions in the case when deliberations and discussions should not be heard and observed by the public. In those limited cases, council can go into executive session as specified in the Ohio Revised Code section 121.22 (G).

Council may hold executive sessions at regular and special meetings only after a majority of a quorum of council determines, by a roll call vote, to hold an executive session. Except as otherwise provided by law, council shall NOT hold an executive session for the discipline of an elected official for conduct related to the performance of the elected official's official duties or for the elected official's removal from office.

If council holds an executive session, the motion and vote to hold that executive session shall state which one or more of the approved purposes for which the executive session is to be held but need not include the name of any person to be considered at the meeting. Because the discussion in executive session is confidential given the nature of the matters

listed above, there will be no notes or minutes of the discussion of the executive session and all those present at the executive session are to keep the matters discussed confidential.

**An Executive Session can be held for the sole purpose of the consideration of any of the following matters:**

- 1) Personnel matters: To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing.
- 2) Purchase or Sale of Property: To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest. (more details - see ORC)
- 3) Confidential Attorney Conferences: Concerning disputes involving the council that is the subject of pending or imminent court action;
- 4) Employment Conditions: Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment;
- 5) Confidential Matters Defined by Law: Required to be kept confidential by federal law or regulations or state statutes;
- 6) Security Details: Details relative to the security arrangements and emergency response protocols for council or a public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the council or public office;

**Committees-Appointment of Standing Committees**

Each member of Village Council shall be appointed as the designated representative for one of the following areas:

- Recreation & Parks;
- Finance;
- Legislation;
- Safety;
- Streets;
- Services

In lieu of standing committees, the Village Council shall meet before each Village Council



meeting as a Committee of the Whole (COW). Each designated representative for the aforementioned areas shall provide a report to the COW as necessary for discussion or for information purpose.

The formation of a COW does not preclude Village Council or the Mayor from appointing additional ad hoc committees as necessary through a majority vote. Any ad hoc committees shall consist of 3 members of Village Council.

Standing Committees consisting of three (3) members each are hereby authorized.

Unless otherwise decided by the mayor and council, the person filling the vacancy will serve on all the committees as the person being replaced until the end of the year; however, if the person being replaced was chair of the committees, the Mayor and council may appoint one of the existing committee members to serve as chair for the remainder of the year.

Each designated representative shall be responsible for the information set forth below:

- Recreation & Parks: The recreation and parks committee shall make recommendations to council for the care and maintenance of the Village grounds and facilities including the pool, lakes/ponds, playground, basketball court, shelters and reserves. This is accomplished with support from the Village Administration.
- Finance: To provide financial oversight, make recommendations and regular reports to council. This is accomplished with support of the Fiscal Officer and the Mayor.
- Legislation: To provide oversight, make recommendations, assist in drafting and review of ordinances and resolutions. This is accomplished with the support of Village Administration including the Mayor, Fiscal Officer, and Solicitor.
- Safety: To provide oversight to the Police, Fire and EMS services of the village. This is accomplished through regular meetings with the department heads, Mayor, and Fiscal Officer. To work with Code Enforcement specifically to review and clarify code ordinances. This is accomplished with support from the Village Administration and code enforcement officer.
- Streets: To provide oversight regarding maintenance of streets and sewers both sanitary and storm, as well as related infrastructure. This is accomplished through the support of the Village Engineer and Mayor.
- Services: To provide oversight regarding Refuse Removal, Leaf Pick-up, maintenance of Village properties and to provide support for effective and timely communications to Village residents. This is accomplished through the support of the Village Administration, Mayor and Residents.

- ◆ ~~Ad Hoc:~~ The Mayor or Council, with a majority vote, can also appoint committees as needed to address specific issues.

**Committee Chairperson Responsibilities**

The committee chair shall have the responsibilities as listed below:

- ◆ Each committee chairperson shall coordinate with the mayor and assist the Mayor in the administration of village affairs through overview, study, and making recommendations pertaining to the assigned area of the appointed chairperson.
    - Each committee chairperson shall have the authority to call meetings as often as deemed necessary and desirable. To ensure attention to village matters, committees should meet at least quarterly.
    - Report Requirements
      - Each committee chairperson shall be prepared to render the following reports:
        - A report to council at each regular meeting and such special meetings as is necessary as to the activities of their committee.
        - Report items of significant value for the development of policy and/or containing recommendations for future actions that benefit the village as a whole will be submitted in writing and appended to the minutes of the council meeting.
        - Each committee chair shall write and submit reports of committee activities, including updates on ongoing projects, to be published in the village newsletter, the Village e-mail update and the village website.
- All reporting requirements shall apply to both committee and subcommittee assignments:
- Creations of Sub-Committee:
    - Each Committee Chairperson shall have the right to create Sub-Committee(s) by following the Sub-Committee Rules and Responsibilities
    - Committee Chairperson Responsibilities apply equally to sub-committees.

**Committee Meeting Notification and Posting**

The ~~committee chairperson~~COW shall notify the Mayor and Fiscal Officer as to the date, time, and place of ~~its~~said meetings. Meetings should be held in the community building or other public buildings to allow any interested citizens to attend.

Village staff shall then post notification of the ~~committee~~COW meeting at the Community Building as per The Postings of Regular, special and Work/Study Sessions Meetings section as soon as notified of such meeting and never later than 24 hours before the meeting is to begin and any other notification required by Ohio Revised Code and Sunshine Laws.

**Sub-Committee Rules and Responsibilities**

**Purpose of Sub-Committee**

The COW may form sub-committees as necessary for the purpose of ~~The committee chair and~~

~~committee council team determine a sub-committee could expedite~~ a defined project/task or where involvement of residents would be beneficial to reaching a defined goal, including assistance in assessing public opinion or gathering data or technical details.

Subcommittees shall be formed by a majority vote of Village Council.

**~~Permission to Create a Sub-Committee~~**

~~To reduce the risk of having two committee chairs create a sub-committee with similar goals, the following approval process will take place before a sub-committee is created:~~

- ~~• A committee chair must get agreement from both of their fellow committee members.~~
- ~~• The committee must provide the following written information to council at a scheduled work session:~~
  - ~~○ A written goal/purpose for the subcommittee~~
  - ~~○ The status of the sub-committee will be reviewed annually.~~
  - ~~○ The chair of the sub-committee (Must be one of the committee council members)~~
  - ~~○ Method of involving residents/vendors and other not residents on sub-committee if applicable (limited to 8 at any given time)~~
  - ~~○ Deliverable(s) must be stated with estimated completion.~~

**~~Sub-Committee Chairperson Responsibilities~~**

~~The committee chairperson maintains overall responsibility for the successful operation of a sub-committee created by their committee council team. All Committee rules apply, including Committee Chairperson Responsibility and Committee Meeting Notification and Posting rules.~~

**EXHIBIT A****RULES OF CONDUCT FOR THE VILLAGE COUNCIL OF MINERVA PARK OHIO  
LAST REVISED JANUARY 14, 2019**

- 2.1 All members of the Village Council have equal votes. No council member has more power than any other, and all members shall be treated with equal respect.
- 2.2 As a Council member it is important, at all times, to act in a manner that enhances community confidence.
- 2.3 These Rules of Conduct to not prohibit or infringe on any member's right to freedom of speech or expression of an opposing viewpoint. Members are entitled and encouraged to share their viewpoints(s) provided it is done in a professional manner, and with utmost respect for others.
- 2.4 No member of the legislative authority, especially when acting in his/her official capacity or in dealing with the public, shall commit any act or utter any comments which would bring embarrassment to the Village of Minerva Park
- 2.5 Members should, at all times, ensure their actions and statements provide a positive image and public perception of the Village and work to enhance and improve the Village, other members of Council, and Village employees. At no time shall a member of the council commit an act or make remarks which are derogatory, degrading, belittling, sarcastic or malicious toward another member of council, the Village, Mayor or Village employees. Opposing viewpoints of council members, the Mayor or Village employees may be shared, are not presented in a manner violating these rules of conduct or any other laws of the Village or State of Ohio.
- 2.6 Members of the Village Council shall conduct themselves in accordance with all aforementioned sections and the following:
  - 2.6.1 Act properly, professionally and in accordance with the requirements of the law and the terms of the Rules of Conduct.
  - 2.6.2 Fully participate in village council meetings and other public forums, while demonstrating respect kindness, consideration, and courtesy to others.
  - 2.6.3 Act in good faith; honestly, for the purpose of the community and not one's personal agenda; always acting in the interest of the community and council, without exceeding their lawful powers.
  - 2.6.4 Make no allegations which are unseemly or derogatory in public forums pertaining to matters of Village business, employees, or other council members.
  - 2.6.5 Refrain from any form of conduct, especially in performance of their official duties and while in public forums, which may cause any reasonable person

unwarranted offense or embarrassment; or bring embarrassment to the Village.

- 2.6.6 Observe the highest standards of honesty and integrity and avoid conduct which may suggest any departure from this standard.
- 2.6.7 Ensure confidential information is guarded and handled with the utmost sensitivity.
- 2.6.8 Always act in accordance with their obligation of loyalty to the Council and Village, serving as a model of leadership and civility to the community

#### **Enforcement**

- 3.1 Violation of these established rules may be considered malfeasance, misfeasance, or non- feasance; and is a violation of rules established under Ohio Revised Code Section 731.45. (1)
- 3.2 Violation of these rules may result in disciplinary action in accordance with provisions of Ohio Revised Code Section 731.45.
- 3.3 These rules shall be enforced by the Council of the Village of Minerva Park as provided by Ohio Revised Code Section 731.45.
- 3.4 These Rules are hereby incorporated in the Rules of Council by reference.

(1) LAW Writer® Ohio Laws and Rules

Revised Code» Title [7] VII MUNICIPAL CORPORATIONS» Chapter 731:

ORGANIZATION

731.45 Rules - journal - expulsion of members.

"The legislative authority of a municipal corporation shall determine its own rules and keep a journal of its proceedings. It may punish or expel any member for disorderly conduct or violation of its rules and declare the seat vacant for absence without valid excuse, where such absence has continued for two months. No expulsion shall take place without the concurrence of two thirds of all the members elected, and until the delinquent member has been notified of the charge against him and has had an opportunity to be heard.

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