VILLAGE OF PHILLIPSBURG

SPECIAL COUNCIL MEETING MINUTES

May 13, 2025

Meeting called to order at 7:02 p.m.

Pledge of Allegiance

Roll Call: Josh Simpson, Chris Steiner, Donna Mullins, Hope Hoard, Heather Craft
Guests: F.O. Charity Grill, Solicitor, Ben Mazer

Mayor: We are here to approve a resolution to authorize the signing of an independent contract agreement to retain the services of Human Resource Professional to conduct a workplace investigation.

Mayor: Did everyone have a chance to read them when we sent them to you.

Everyone: Yes

Mayor: So, do we just need to vote then?

Ben: You just need to vote. Should I say something about him? Mayor: Yes, that's a great idea: Ben: so, Ken Couch is being hired as an independent contractor to do one particular item for the Village. His services will end once that item is complete. Kenneth Couch is the former HR Director for the City of Dayton. He has retired from the City and now is an independent contractor consultant on HR matters, so I am recommending that Mr. Couch's agreement be approved tonight so he can get started with his work.

Hope: I have a question for Ben, and you may not know this, but how long are we thinking this process is going to take.

Ben: It's really hard to say. It's a great question, though, it's always the goal with this type of work to be completed as quickly as possible. It's my hope that this can be wrapped up in two weeks or less. I think that's typical, and I'm kind of being a little bit conservative in the sense that it really depends on how many folks are a part of this process. And you won't know that right necessarily off the bat.

Hope: So they will then go to the employee first and discuss concerns, and then those concerns will be investigated?

Ben: That is my understanding. It's my recommendation for this particular circumstance and that is what Mr. Couch is anticipating doing. I've spoken to him about that.

Hope: And then since my name was personally stated in the Complaint, will I have a time to speak with this investigator or if they need to speak with me?

Ben: The answer to that is yes. You want to be careful today about getting into specific questions. I can't answer that. You have to be careful about how specific we get about this is going to look like because we are in a public meeting. I would just say that if you have any more additional specific questions about this, I can answer them separately.

Hope: Okay

Ben: Or we can do another executive session at some point to talk about that. We have a council meeting coming up, so we can have another executive session. I don't want to get too much into what this investigation will look like, because it is confidential.

Hope: And once we sign it, it will start immediately?

Ben: It will start, absolutely, I'm actively trying to schedule this for tomorrow. I'm not having much success with that. But this week, without a doubt, is what I expect to happen.

Hope: Okay, can we just schedule a short executive session to just go over progress, now until next Tuesday? Because that gives us a week. Even if we don't have anything we can just come right back out, but we have it on the schedule to do it.

Mayor: Charity, so she wants to try and schedule a quick executive session between now and next Tuesday?

Council Member: No, no, no. At the meeting.

Mayor: Oh, yes, we can do that.

Ben: We can have updates by then.

Council Member: Are we supposed to be sending the information of what we want on the agenda by Thursday?

Mayor: To me.

Hope: To you?

Mayor: Yes, she has enough on her plate right now. I just make her do stuff. But I'm going to handle the agenda. By this Thursday, if you can. If not by Thursday, I'm not going to be super mad about it. But you want just a short executive.

Hope: We're not going to have any resolutions to sign, right?

Mayor: We might have a couple, but not a big thing.

Council Member: And you'll just attach those to the agenda.

Mayor: You will have those before the meeting.

Charity: And we'll be sending a couple too.

Mayor: We're going to have a meeting before that happens, so I'll made sure everything is straight.

Mayor: Heather, do you have anything? Heather: No.

Mayor: Josh?

Josh: Does this guy have a minimum? Obviously, this isn't going to take an hour. Like a four or five hour minimum?

Ben: He does not. That's a great question. His rate is $225 an hour. He is cheaper than me and is actually very cheap compared to most consultants. I can tell you I work with another consultant who charges twice that much. I like Ken because he is reasonable. I don't think you'll find anyone cheaper than Ken, and he's extremely qualified. But to answer your question, he does not have a minimum. He is going to charge for any work spent as it relates to the investigation that would include driving time, that will include any research he has to do, that will include preparing a written report which is necessary, that will include… Mayor: Anything we expect from you we should expect from him. Ben: Yes.

Ben: But he is cheaper than me and I will say that I will not be actively participating in this to ensure the integrity of this, so of course, I will not be billing my time simultaneously with him, assuming I'm not doing work with him.

Mayor: Steiner? Do you have anything? Steiner: No.

Mayor: Donna? Donna: I motion to approve.

Mayor: Donna motioned to approve the contract for Ken Couch to do the investigation. I have Donna, I need a second: Hope(?) I second. Mayor: All in favor? Council: Aye. Mayor: Against? (no one). Mayor: Okay, motion passes by unanimous vote.

Do we have anyone from the public who would like to speak?

Citizen: I have a question as to what's going on. I wonder if the residents are privy to any information as to what you guys are even talking about.

Mayor: Ben?

Ben: At this point, we're not able to make any public announcement. It is a personnel matter, and we have an obligation to the individual who made the Complaint to keep the details of that Complaint, at least at this point, private. That's typically what you see in a public sector situation, but also private sector as you probably know, but we wouldn't able to disclose to you the details of an employee complaint. There may be a time in which that information would become public, but it's a matter of protecting the individual who made the complaint, and we have an obligation to that person. We're not able to do that. I understand the question, but as we are able to provide information to the public, if appropriate, I would recommend that we do that.

Citizen: Is it an employee complaining about another employee?

Ben: I would not be able to give you that information, because that would be going into the specifics of the situation. Obviously, we need a public meeting to approve the contract for the investigation, so that part is public, but I wouldn't be able to go into any details about that. It truly is to protect the individual who made the complaint.

Citizen: So, once we do the investigation and everything, then do we make things public?

Ben: It depends, not always, it's going to depend on what we learn and whether there is any type of action that is taken that would normally be available to the public. But that's a great question.

Mayor: Anyone else? (no response)

Donna: I make a motion to adjourn.

Josh: Real quick before we adjourn. Not to add to the meeting, but are we posting about the Council (unintelligible).

Mayor: Yes, me and Hope are working on it. We're also going to work on posting for the housekeeping. We are advertising it.

Josh: If someone is interested, should they just submit a simple letter of interest?

Mayor: I have one that has been submitted, and they can do it if they want to.

Josh: Just so we make sure everybody that wants to can come in –

Donna: I believe they're posted.

Mayor: Anyone that we get, I will forward to the Council.

Josh: Should they submit a letter or appear at the open meeting?

Mayor: That's up to you all as the council to decide within those 30 days if you want to get your special meeting together to make a decision on that.

Hope: Decision on what?

Mayor: On filling the council position.

Hope: If we want to do that and add it to the agenda on Tuesday, then that's okay too?

Mayor: Yes. Just know that it's been posted, and we've gotten one that wants her name put into the mix.

Hope: Anyone that wants to, could do it Tuesday. Because we have 30 days.

Mayor: I would recommend…

Josh: Anybody that's interested should bring a letter of intent.

Mayor: Yes, that's what I recommend.

So are we going to wait and give everyone time to put their…

Mayor: I would give it 30 days, so that everyone has an opportunity to throw their hat in the ring. And then we'll have a special meeting and we'll blast it out there that this is a special meeting that decides who's going to fill that council seat.

Hope: They give the letter of intent?

Mayor: I have one I'm going to scan and send to you guys. If one comes in, I'll just make sure we send them to you guys and you can read them. I'll have copies of that here on the day you want to add that to the meeting.

Hope: And maybe at the special meeting we can post it and then have the people who want to have the council seat come in and we can ask them questions.

Mayor: That's what we've done in the past. We ask them to come up and you can ask questions about how long they've lived here and things like that.

Donna: I motion to adjourn. Hope: I second. Motion passed unanimously.

Mayor: Shawna Newsom

Fiscal Officer: Charity Fidler

(Council Meeting re hiring independent contractor for HR investigation. 5/13/25)

THE VILLAGE OF PHILLIPSBURG

EMERGENCY COUNCIL MEETING

May 1, 2025

Meeting called to order 7:02 pm

Pledge of Allegiance

Roll Call:
Booker
Heather

Hope
Donna
Chris
Fiscal Officer Charity; Solicitor Ben, Village Administrator Steve.

Swearing in of Josh Simpson.
I, Joshua Simpson, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Ohio, and that I will faithfully, honestly, and impartially discharge the duties of the office of councilman of the Village of Phillipsburg, Ohio, according to the best of my ability and understanding.

Mayor: Congratulations, Josh.

Mayor: I move that we go into executive session in relation to O.R.C. 121.22G3 Conferences with an attorney for the public body concerning disputes involving the public body and the subject of pending or imminent court action.

Are we staying or are we going?

Donna Motion: 2nd Motion. All in favor except Booker is abstaining.

Mayor: We are returning to regular session from executive session at 7:38 pm. So, we're back on record. Next on the agenda that we thought we were going to do, but you guys are going to have to table this because the independent contactor agreement is not ready at this time. So, we need a motion to table.

Donna: Motion to table the resolution authorizing the signing of the independent contractor agreement. (Council Member): I second it. Mayor: All in favor. 5 Ayes. Motion carried.

Mayor: Anyone have anything to say? We'll open it up to the floor. No? Okay.

Donna: I motion to adjourn. Steiner 2nd. Okay.

Mayor: Officially Councilman Booker has resigned his position effective tonight. I'll be sending an email out to the Council to let them know starting today you have 30 days to replace his council seat. So, we're clear on that. It looks like we're going to shoot for the next meeting. But if you want to do it before that, you know how to do it.

Any other questions?

Heather: I thought you said she have to mention that…

Steve: We can advertise.

Many talking: I don't think it would hurt. Yeah.

Donna: I motion to advertise council member position availability. Motion 2nd. 4 Ayes. Motion passes.

Donna, I motion to adjourn. Steiner 2nd. Mayor all in favor. Everyone yelled Aye!

Mayor: Steve, me and Ben want to see you in the office, please.

Mayor: Shawna Newsom

Fiscal Officer: Charity L Lewis