THE VILLAGE OF PHILLIPSBURG

EMERGENCY COUNCIL MEETING

April 29, 2025

Meeting called to order at 7 pm

Pledge of Allegiance

Mayor: Thank you for coming

Roll Call: Chris Steiner – Here
Donna Mullins – Here
Hope Hoard – Here
Heather Craft – Here
Steve Booker (absent not sure what happened there)
We're joined by the Fiscal Officer, Charity Grill: Village Solicitor, Ben Mazer: and Village Administrator, Steve Woolf.

Mayor: I'm going to let the council take over from here.

We don't need a resolution to accept a resignation. Ben advised that sending them a letter stating their last day of work, accepting their resignation, and having that signed by Village is all that needs to be done. We put that in their file. So, we don't need a resolution for that.

Hope: So, in that case, I make a motion to vote Josh Simpson in as councilman.

Mayor: Josh, do you have anything to say? Josh: No. That's okay. I care a lot about this Village, and I want to see it get better. Heather 2nd the Motion. Vote: All in favor: 3 yeses (Hope, Heather, Steiner) and 1 no (Donna).

We have another applicant that would like to put her name on the ballot. Charlene Yoe. Donna Motion for Charlene Yoe. Steiner 2nd. Vote. Donna yes, Hope no, Heather no. Two yeses and two nos.

Ben states that 3 to 1 vote wins. Motion passes for Josh Simpson to take Brandon Meyers seat. Josh is instructed to see Steve for paperwork.

Hope: he needs to be sworn in. Mayor: We're not ready for that now. We'll do it at the next meeting. Hope: can he attend executive session tonight? Mayor: No. But we will get papers ready and Josh, you can bring your family and we'll get you sworn in and your picture taken. That will be on the 20th of May.

Mayor: Do we have anything else?

Hope: I think the only other thing is…didn't we add something?

Mayor: So, if you guys are done, we go to the resolutions.

Ben: speaking on the scope of the solicitor with respect to municipal law. There is a separate attorney who acts as a prosecutor. He mentioned the traffic case and recommended they appoint a prosecutor for the Village to handle the traffic case. The pretrial date is May 12. Then the prosecutor would handle any other traffic or criminal cases that would come up. Ben recommends Terry Posey to act at prosecutor for the Village. He is currently the prosecutor for the city of Trotwood. He has a criminal attorney background, he was a police officer, Ben can provide a link to his website. He practices criminal defense and prosecution. He charges $275 per hour. Most criminal cases and traffic incidents don't go to trial.

Discussion about that traffic ticket case, cost of ticket, will it go to trial? Leslie wrote the ticket.

Resolution authorizing the Village of Phillipsburg to enter into an independent contractor agreement with Terry W. Posey for prosecutorial services at the Montgomery County Municipal Court Western Division on behalf of the Village of Phillipsburg, declaring an emergency to take effect immediately, because there is a court date set on May 12.

(Council Member to Mayor) Can you explain the three reading rule.
Mayor – The three reading rule is when you don't need it to be an emergency. You can wait the 30 days to go into effect. If we would read it today at this meeting (April), then we would read it at the next month's meeting (May), and then we would read it at the following month's meeting (June), then vote on it at the June meeting. But if the Council votes that we don't need to read it three times, it goes to vote and you waive the three reading rule. That has to be verbalized. It needs to be on record that you (the Council) waive the three reading rule.
Hope Hoard motions to authorize the hiring of independent contractor Terry Posey for prosecutorial services for criminal and traffic cases for the Village of Phillipsburg. Donna 2nd. Motion is passed.

Mayor moves to executive session pursuant to RC 101.22G1 to consider the employment dismissal or discipline of a public employee. Donna Motion. Motion 2nd.

Donna yes, Hope yes, Heather yes, Steiner yes.

Charity and Ben are invited to the executive session.

Back into regular session at 7:43 pm.

Hope: can we address the letter that was on our desks? Because I'm going to need some legal counsel. My name is specific in here.

Mayor: I don't think this is something we should do right now since we didn't have a chance to really read it. Hope: Okay. Mayor: but it's your guys' call, but this is a lot of information.

Ben: This would probably be something for executive session. Mayor: Can we call another executive session? Ben: probably not. Mayor: I want you to have time to read it and absorb it.

Mayor: Do we have anything from the public? Does anyone want to speak before we adjourn?

Josh: talked about the removal of the slide in the park. Hope: It was all removed, but I was under the impression that only the slide part was being removed, because I did talk to Shawna when I got here. Shawna had it all removed because of structural issues. Other slide was repaired. Mayor: Now Hope can do the shopping for it.

Mayor: Donna Motioned to adjourn. Motion 2nd. Motion passes.

Mayor: Shawna Newsom

Fiscal Officer: Charity L Lui