

# RECORD OF PROCEEDINGS

## VILLAGE OF PLYMOUTH REGULAR SESSION

Held October 26, 2021

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The Village of Plymouth convened in regular session on October 26, 2021 at 6:57 PM in person and streamed live on Facebook. Mayor Fryman called the meeting to order with the following members and visitors present:

Mrs. Susan Moore	Present	Mr. Matthew Patrick	Present
Mrs. Joan Felver	Present	Ms. Susan Broderick	Present
Mr. Dwayne Cassidy	Present	Mrs. Elaine Root	Present

**EMPLOYEES:** *Rebekah Fearing, Administrative Clerk; James Burton, Assistant Village Administrator; and Rich Metzger, Fire Chief.*

**Visitors:** *None*

The Pledge of Allegiance was said.

### **Motion to approve minutes.**

*It was moved by Mrs. Felver and seconded by Mr. Cassidy to approve the minutes of October 12, 2021 and Special Meeting October 18, 2021.*

**Motion carries 6-0**

**Motion 1**

### **Motion to approve payment of bills**

*It was moved by Mr. Cassidy and seconded by Mrs. Moore to approve the payment of bills through November 30, 2021.*

**Motion carries 6-0**

**Motion 2**

**Public Input – None**

**Petitions, Proclamation and Remonstrances – None**

### **Committee Report**

**Finance** – Mrs. Felver stated nothing to report at this time; however, she would like to schedule a meeting in the next couple weeks. Date and time to be determined.

**Service** – Service report is as follows:

#### Water / Sewer

- Replaced a broken water meter.
- Assisted Shiloh with a water tap

#### Electric

- Read meters and did utility shut offs.
- Covered the photocells at the park for the Fire Dept.

#### Streets

- Put down one ton of hot patch around town.
- Filled in a sink hole on Plymouth St.
- Fixed storm tile on West Broadway.
- Able to do one round of leaf pick up before the truck (F350) had to be taken out of service.

#### Pool / Cemetery / Park

- Began process of winterizing the pool.
- Had two graves.
- Replaced several outlets at the park restrooms.

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### Misc.

- Mowed the solar field for the 2<sup>nd</sup> time. Invoice sent to Madison Energy for payment. (\$800)
- Attended meeting at the Board of Education about the school sidewalk project.
- Mowing of the properties around town, sewer plant, and park.
- Cleaned gutters at office building.
- Both new utility workers started.

### Vehicle Maintenance

- Replaced the brake lines on the 450. (Now completely out of commission)
- Fixed the gas pedal on the Freightliner.
- Replaced batteries in Bucket Truck.

Councilwoman Felver asked if James had a chance to order the signs for the ball fields; he had not but will be ordering them soon. It was briefly discussed about the "Utility Parking Only" signs on the side of the building by the west entrance. It was decided to take the existing ones down and not to replace them.

Councilwoman Root asked James to provide an update of the Safe Routes to School Grant the school is applying for. James stated there was a meeting to make sure everyone was on the same page. He then was asked to look at the Village utilities to see if/how they would be affected by the installation of sidewalks. Everything is on track for now, the only hold up being the railroad crossing on Trux Street.

It was suggested for James to ask some of the School Board members to attend one of the Village Council meetings. Everyone feels this is an amazing opportunity for the Village and no one should object. Councilwoman Felver wanted to make sure no funds would be needed from the Village; it was stated no, all funding would be coming from the grant.

Brief discussion also took place on:

Old Car Wash- It was stated the old tanks have been removed and the holes filled. There is an individual interested in possibly purchasing the property. It is unknown at this time what the property will be used for.

Cemetery- Councilwoman Root asked James about how many more times the cemetery, will need mowed this year. James stated it is hard to guess because it all depends on the weather, but he estimates at least once more possibly twice.

**Safety** –Mr. Cassidy gave the following report for both Police and Fire Departments:

The Police Department has responded to 339 calls so far this month.

The Fire Department, for the month of September, has responded to 20 squad calls (119 YTD), 2 motor vehicle accidents (4 YTD), and 3 fires (13 YTD). Chief Metzger wanted to thank everyone who helped and/or attended the Haunted Park. He said they had another great year.

**Rules and Village Administration** – Mrs. Root stated there is one motion, and one Ordinance to consider tonight.

**Planning Commission** – Ms. Broderick stated nothing to report at this time.

**Ordinances and Resolutions** –

**Motion: To Approve Attorney Fees for Hollinger Estate**

This motion is necessary to expedite the closing of the Hollinger Estate and the Village to receive its final \$86,000 beneficiary payment for the EMS fund.

### ***Motion***

*It was moved by Mr. Cassidy and seconded by Mrs. Moore to approve the attorney fees in the estate of Anita L. Hollinger.*

***Motion carries 6-0***

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### Ordinance: Emergency Dump Truck Purchase

**MAYOR FRYMAN READ AN ORDINANCE FINDING A REAL AND PRESENT EMERGENCY ARISING IN CONNECTION WITH THE OPERATION OF THE VILLAGE UTILITY DEPARTMENT DUE TO BOTH VILLAGE DUMP TRUCKS BEING OUT OF COMMISSION RESULTING IN THE FORESEEABLE INABILITY OF THE VILLAGE TO PROVIDE BASIC AND NECESSARY SERVICES SUCH AS LEAF PICKUP, SALTING OF ROADS AND PERFORMING CEMETERY AND STREET MAINTENANCE; AND DECLARING AN EMERGENCY.**

**It was moved by Mrs. Root and seconded by Ms. Broderick to suspend the rules.**

*Votes were Mrs. Joan Felver, Aye; Mrs. Susan Moore, Aye; Ms. Susan Broderick, Aye; Mr. Matthew Patrick, Aye; Mr. Dwayne Cassidy, Aye; Mrs. Elaine Root, Aye*

**Motion carries 6-0**

**It was moved by Mrs. Root and seconded by Mr. Patrick to accept on the third and final reading.**

*Votes were Mrs. Joan Felver, Aye; Mrs. Susan Moore, Aye; Ms. Susan Broderick, Aye; Mr. Matthew Patrick, Aye; Mr. Dwayne Cassidy, Aye; Mrs. Elaine Root, Aye*

**Motion carries 6-0**

**Ordinance 23- 2021**

### Contracts, Bonds or Bids – None

### Old Business – None

### New Business – None

### Announcements:

Next Council meeting will be November 9, 2021, at 7:00 pm. Committees to meet as needed. Trick or Treat will be Saturday Oct 30, 2021, from 5-6:30pm. Business Trick or Treat will start at 4:00. Light Parade to Legion at 7:00 and Legion costume contest at 7:30.

### **Motion to move to Executive Session per 121.22G (1)**

*It was moved by Mrs. Root and seconded by Mr. Cassidy to move to Executive Session per 121.22G (1) Personnel: Compensation at 7:25pm.*

**Motion carries 6-0**

**Motion 4**

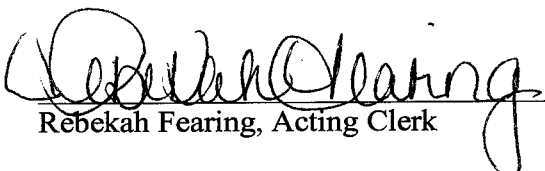
Returned from Executive session at 8:17pm

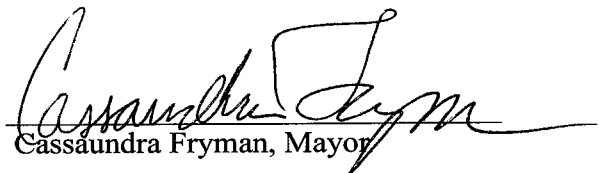
### **Motion to adjourn**

*It was moved by Mrs. Felver and seconded by Mr. Cassidy to adjourn at 8:17PM.*

**Motion carries 6-0**

**Motion 5**

  
Rebekah Fearing, Acting Clerk

  
Cassandra Fryman, Mayor

All formal actions of the Village of Plymouth concerning and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.

BEFORE THE COUNCIL OF THE VILLAGE OF PLYMOUTH, OHIO

A MOTION TO APPROVE THE ATTORNEY FEES  
IN THE ESTATE OF ANITA L. HOLLINGER.

WHEREAS, the Village of Plymouth is a beneficiary of the estate of Anita L. Hollinger, and


WHEREAS, the estate administration is near completion with the Village to receive an additional \$86,000.00, and

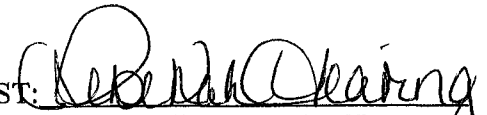
WHEREAS, the Village consents to the estate attorney and executor fees.

BE IT MOVED BY THE COUNCIL OF THE VILLAGE OF PLYMOUTH, COUNTY OF RICHLAND/HURON, STATE OF OHIO:

THAT the Mayor is authorized to approve the Waiver of Hearing on Account and Consent to Payment of Executor Fees, Attorney Fees and Court Costs in the settlement of the Estate of Anita L. Hollinger.

At the regular Council meeting of October 26, 2021, Mr. Cassidy  
moved for adoption of the foregoing Motion, seconded by Mrs. Moore,  
and upon roll call vote the vote was 6 yea, 0 nay.

  
Cassandra Fryman, Mayor

ATTEST:   
~~DiAnn Jamerson, Village Fiscal Officer~~  
Rebekah Fearing, Acting Clerk

October 26, 2021  
Date

IN THE PROBATE COURT OF CRAWFORD COUNTY, OHIO

In the Matter of:

Case No.: 00034061

Estate of Anita L. Hollinger


JUDGE PATRICK T. MURPHY

**WAIVER OF HEARING ON ACCOUNT  
AND CONSENT TO PAYMENT OF  
EXECUTOR FEES, ATTORNEY FEES  
AND COURT COSTS**

Our organization is one of 4 residual beneficiaries in the Estate of Anita L. Hollinger. We have been provided a copy of the final fiduciary's account. We have also been provided with an itemized billing summary for Attorney Ream and a fee calculation for the executor's fee.

We consent to the approval of the final account as it is completed and presented. We approve of the payment of \$16,000.00 as and for attorney fees. We acknowledge that this amount is based on an hourly fee arrangement and that a small discount has been applied. We consent to the payment of \$16,087.00 for executor fees, which we understand are below the guideline amount of more than \$19,000.00. We approve of reimbursement to the attorney in the amount of \$471.40 for costs that have been advanced in the case.

We waive hearing on the account and consent to its immediate approval. We acknowledge that our distribution is \$86,312.34.

  
Plymouth Ambulance Service  
By: Cassandra Fryman, Mayor



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150 Mansfield Avenue | Shelby, Ohio 44875 | p. 419-347-4900 | f. 419-347-4904

October 22, 2021

AVR Joint Ambulance District  
c/o Lynn Love  
PO BOX 466  
Attica, OH 44807

Seneca East Public Library  
Attn: Pam Duncan  
14 N. Main Street  
P.O. Box 572  
Attica, OH 44807

Renwick Welsh & Burton  
Attn: Mr. Jon Burton  
9 N. Mulberry St.  
Mansfield, OH 44902

Willard Memorial Library  
Attn: Joshua Figley  
6 W. Emerald Street  
Willard, OH 44890

Dear Estate Beneficiary:

We have completed the proposed final account in this case and enclose the same for your review, questions and approval. Likewise, we are enclosing a waiver and consent form for your consideration in order to expedite the approval of the account and distribution of the checks. Each of the 4 residual beneficiaries will receive about \$86,000.00.

Attorney fees in this matter were charged on an hourly basis. An Itemized summary of the billing account is enclosed. A small discount has been extended. The executor fees were calculated in accordance with Ohio law. Note however, that the executor is extending a discount of over \$3,000.

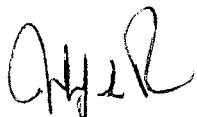
calculated in accordance with Ohio law. Note however, that the executor is extending a discount of over \$3,000.00.

If you have any questions about any of this material, please let me know. Otherwise, if you are satisfied with the account and the proposed payment of fees, kindly sign the consent and waiver form and return it to my office for filing with the court and closing of the estate. Please let me know if you would like to pick up your check or want me to mail it.

Of course, Anita's siblings would truly appreciate hearing from you regarding the use of funds. Dorothy Boyer (sister) can be reached at 419-610-6294, if you wish to send along information regarding the funds or note of thanks. Thank you.

Very truly yours,

**BENHAM & REAM CO., L.P.A.**

A handwritten signature in black ink, appearing to read 'Jeffrey S. Ream', written in a cursive style.

Jeffrey S. Ream

JSR:ajh

Encl.