

**VILLAGE OF DELTA
VILLAGE COUNCIL PROCEEDINGS
MONDAY, AUGUST 20, 2018 AT 7:00 P.M.**

Meeting called to order at 7:00 p.m. by Mayor Dan Miller

Pledge of Allegiance was led by Mayor Dan Miller

Prayer was led by Chuck Whitmire from Delta Shiloh Church

Employee's present: Stephanie Mossing (Finance Director), Brad Peebles (Administrator), Dan Miller (Mayor), Nathan Hartsock (Police Chief), and Kevin Heban (Law Director)

Visitor's present: Shelby Gerken (Delta Atlas), John Bay, Bill O'Connell (Village Reporter), Gary Russell and Chuck Whitmire

ROLL CALL—Present: Frank Wilton, Art Thomas, Ashley Todd, Tony Dawson and Bob Gilbert

Absent: Lynn Frank

A motion was made by Todd, seconded by Wilton to excuse Lynn Frank from the August 20, 2018 council meeting. All votes yea, motion carried.

Minutes August 6, 2018:

A motion was made by Bob Gilbert, seconded by Frank Wilton to approve the August 6, 2018 council minutes. All votes yea, motion carried.

Mayor Miller opened the Public Hearing to consider the requested rezoning of 2.48 acres located across from 307 Jefferson Street from S-1 to R-1.

Mr. Peebles explained that Mr. Gary Russell has submitted a request for the rezoning. He states he has went to the property and looked at it and recommended this to the Planning Commission.

The Planning Commission addressed a letter to Village Council recommending the rezoning of property across from 307 Jefferson Street from S-1 (Special Use) to R-1 (Low Density Residential).

Mr. Peebles explains that Mr. Gary Russell would like to transfer this property to one of his children and is hopeful they will build a home on the property.

Documentation submitted to council includes, letters to surrounding property owners, letter from Planning Commission, copy of survey of the property, map of property and copy of published public notice from The Delta Atlas.

A motion was made by Art Thomas, seconded by Tony Dawson to close the Public Hearing. All votes yea, motion carried.

Correspondence:

- Rezoning request submitted by Gary & Sharon Russell

Safety:

- Police Chief Hartsock distributed his July monthly report

Finance Director's report:

Certificate of Recognition – Girl Scouts Troup #10924

Request for outstanding checks from 2011 & 2012 to be voided

Request for an outstanding water account to be assessed on property owner's property tax bill

Reporting of 7 garnishments filed with the courts in the amount of \$4,580.41 with a collection of \$2,126.09 income tax.

A motion was made by Tony Dawson, seconded by Art Thomas to approve the Friday evenings listed, starting on September 14, 2018 until May 17, 2019 from 5:00 p.m. to 6:30 p.m., in Memorial Hall for Girl Scouts Troop #10924. All votes yea, motion carried.

A motion was made by Bob Gilbert, seconded by Tony Dawson to authorize the assessment of a past due water account in the amount of \$245.02 to the property tax bill of the property owner. All votes yea, motion carried.

A motion was made by Bob Gilbert, seconded by Ashley Todd to authorize the Village Finance Director to void the 2011 & 2012 outstanding checks in the amount of \$377.89. All votes yea, motion carried.

Administrators Report: Written report was distributed to council
Peebles recommends to council that we have a public forum to discuss the potential creation of an electric municipal system, to allow people to learn more about what we are hoping to accomplish and to address any concerns or questions that the public may have. He would like to have this late in September or first week of October, which would allow enough time to get back with someone for a specific issue before the election. Brad suggest if this is something council would want to do, we would solicit some professional participants. He recommends Palmer Energy (Village's electric consultant) and public utilities from City of Bryan. It also has been suggested that we invite First Energy to the public forum, so they can answer any questions that are presented.

A motion was made by Bob Gilbert, seconded by Art Thomas to schedule a public forum at the school auditorium, with the date and time scheduled after talking with the school. All votes yea, motion carried.

Mr. Peebles reports that York Township is requesting for a change to the annexation agreement in the language. York Township would like the annexation to be effective with the first full year of income taxes being generated on the site. The explanation is if the buyer does not begin operations on that site for 5 years, it is 5 years into the agreement before they would have any revenue generated. Brad states he thinks it is a fair request and thinks that Council should consider the request. If there is support for that language to be added to the annexation agreement we simply need a motion for the agreement to be amended. Peebles would then contact Mr. Gilroy (Fulton County Economic Director) with the change. Legal council and Peebles would review the agreement with changes before Mayor Miller would sign.

A motion was made by Art Thomas, seconded by Frank Wilton to make changes to the annexation agreement, adding language that annexation would be effective with the first full year of income taxes being generated on the annexed property site. All votes yea, motion carried.

Old Business:

Resolution #18-13: Approving revised business hours

A motion was made by Dawson, seconded by Todd to approve revised business hours for the administrative offices of the Village of Delta on its 2nd reading. All votes yea, motion carried.

Ordinance #18-18: Establishing pricing for the columbarium services

A motion was made by Wilton, seconded by Gilbert to establish pricing for the columbarium services within Greenlawn Cemetery on its 2nd reading. All votes yea, motion carried.

New Business:

Ordinance #18-19: Amendment of the zoning map

A motion was made by Dawson, seconded by Wilton to approve the amendment of the zoning map for the Village of Delta on its 1st reading. All votes yea, motion carried.

Ordinance #18-20: Executing of a purchase agreement for the acquisition of real estate

A motion was made by Wilton, seconded by Todd to authorize the execution of a purchase agreement for the acquisitions of real estate and building for use of the Village of Delta on its 1st reading. Thomas – yea, Wilton – yea, Todd – yea, Dawson – no, Gilbert – yea. Motion carried.

Ordinance #18-21: To dispose of certain surplus property

A motion was made by Wilton, seconded by Gilbert to authorize the Village Administrator to dispose of certain surplus property no longer needed for any municipal purpose on its 1st reading. All votes yea, motion carried.

Ordinance #18-22: Prohibiting cultivation of marijuana; processing of medical marijuana

A motion was made by Todd, seconded by Thomas to prohibit the cultivation of marijuana, processing of medical marijuana, marijuana wholesalers, marijuana retailers and medical retail marijuana dispensaries in the Village of Delta, Fulton County, Ohio on its 1st reading. All votes yea, motion carried.

A motion was made by Wilton, seconded by Gilbert to approve the invoices in the amount of \$83,428.99. All votes yea, motion carried.

Chief Hartsock request permission to apply for BWC body armor program grant through Ohio Attorney General for bullet proof vests. He explains we get a 50% grant match now through the Bureau of Justice but the BWC grant would be 75%.

Dawson asked how many vests we are looking at receiving or applying for. Hartsock replied 5 vests.

A motion was made by Dawson, seconded by Wilton to approve the application for the grant for the BWC grant. All votes yea, motion carried.

The next regular council meeting will be Monday, September 10, 2018 at 7:00 p.m.

Dawson made a motion to adjourn at 7:23 p.m.

MAYOR DAN D. MILLER

CLERK OF COUNCIL