

**VILLAGE OF DELTA  
VILLAGE COUNCIL PROCEEDINGS  
MONDAY, JUNE 18, 2018 AT 7:00 P.M.**

*Meeting called to order at 7:03 p.m. by Mayor Dan Miller*

*Pledge of Allegiance was led by Mayor Dan Miller*

*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 and Tim Cowden

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

Minutes June 4, 2018:

*A motion was made by Bob Gilbert, seconded by Art Thomas to approve the June 4, 2018 council minutes. All votes yea, motion carried.*

**Correspondence:**

- Chief Hartsock received a request for a fundraiser in the park on August 18, 2018 from Chris Hummel. He's looking to see if council is perceptive to the idea of alcohol in the park at this time and will approach council with all the details if so.

**Development & Government Relations:**

- Review application for TRES Economic Development transfer of state liquor license
- New restaurant will be opening in town soon which has acquired a liquor license from a former restaurant in Columbus. Village Council needs to endorse this liquor license transfer.

*A motion was made by Art Thomas, seconded by Tony Dawson to endorse and approve transfer of the liquor license from Logan's Restaurant in Columbus to Pueblo Lindo in Delta, Ohio. All votes yea, motion carried.*

**Safety Report:**

- Art reports there was a meeting before the council meeting.

**Finance Director:** Submitted Income Tax Revenue Report

**Administrators Report:** Written report was distributed to council

- Review correspondence from Jones & Henry regarding reservoir contamination

Mr. Peebles recommends to council not to pass legislation per the written recommendation from Jones & Henry Engineering firm.

- Review Property/Liability insurance renewal with Ohio Plan

Brad explains the insurance liability to council and why there is a slight increase, which the majority of this pertains to the CSO project and increase in assets.

- Discussion on the referendum petition filed with the Village Clerk for Ordinance 18-08A which was for establishing municipal electric utility department in the Village. The petition has been sent to Mr. Heban (law director) and Bricker and Eckler the firm retained out of Columbus for the municipal electric for review. Both law firms have confirmed that the petition is valid and will have to go before the Village residents on the ballot in November. The petition signatures will be verified by the Board of Elections for legitimacy.
- Concerns discussed about educating the Village residents on the municipal electric utility department was discussed.

Mr. Peebles questioned Kevin Heban (law director) how we can legally inform and educate the residents on the goal and opportunity that the municipal electric presents for the Village of Delta.

Mr. Heban informed council that we can educate but not advocate.

Mr. Peebles questioned if we could put together a document that outlined what it is we are trying to accomplish; would that be an eligible expense? Heban answered yes, this would be eligible if it doesn't prompt how to vote.

Brad Peebles explained to council that this will be incumbent on them and administration to educate the public. With, the biggest education point is not so much a municipal electric system being a benefit but the loss of revenue to the Village of Delta if we can't put this in place. Knowing that we have potentially one customer in place, Nature Fresh that has signed a memorandum of understanding and a second potential customer, MetalX, that has negotiated a MOU and if there are any other industrial customers they would be our focus and customer base. With Nature Fresh and MetalX alone the Village stands to lose approximately \$350,000 in kilowatt usage tax after build-out of these facilities. Brad explains to council the kilowatt tax is paid to State of Ohio not something that will affect any of us, the tax would just be re-directed from the State of Ohio to the Village of Delta with the municipal electric system.

Peebles explains that it would benefit the Village to be proactive as possible in educating the public of the potential benefits. He explains that he is not advocating to change our entire electrical system from Toledo Edison to a municipal electric which is what he believes the petition circulators may have been representing.

Mayor Miller commented that this would be new money we could use for anything in the Village of Delta without raising taxes to the residents. He also explained to council that there are other municipal electrics in the area Napoleon, Bowling Green, Bryan, Defiance and Montpelier.

Art Thomas asked if the petition was put out by Toledo Edison? Mr. Peebles stated it was First Energy that paid for the solicitation and collection of signatures. This was documented as part of the petition filed.

Peebles explains how the municipal system may assist in our economic development efforts, given we cannot be charged certain tariffs for distribution

charges that are currently on everyone's utility bill. This could reduce the rate to customers which, in some cases may be significant annual savings.

Lynn Frank asked if the Village could sell electric to businesses outside the Village limits. Peebles explains that being a municipal electric you can sell up to 10% of your unused capacity outside the corporate limits.

Peebles also informed council of other matters including:

- Inspected Certified Gas station property, Brad has contacted the real estate agent.

There is a meeting next Monday 6/25 scheduled at 10:00 a.m. to evaluate the building. Brad's opinion the building needs to be condemned.

- Unlimited trash pick-up is between 150 and 160 ton and cost will be just under \$20,000.

Lynn Frank reports she has had people tell her they were thrilled with this service and have asked if we will be doing this next year.

Ashley Todd reports she heard one negative comment that when we announced the pick-up there was nothing saying they wouldn't pick up trash bags and then later there was a posting that they were not picking regular trash up.

Brad Peebles did say there was nothing reflected they wouldn't pick up regular trash and when it did raise a question he called ARS and asked them to pick it up.

- Notified council there are two residential tax abatement applications which he shall approve pursuant to previous Village legislation and will send them to the school board and then file with Fulton County Auditor office
  - 315 Wood Street – Residential Energy Solution, \$130,000
  - 506 Locust Street – remodel/residing renovations, \$20,000

**Old Business:**

**Ordinance #18-14:** Amending codified ordinance prohibiting battery motors on reservoir

A motion was made by Wilton. The Ordinance failed for lack of second.

**New Business:**

**Ordinance #18-15:** Amending income tax distribution schedule

A motion was made by Frank, seconded by Thomas to suspend Ordinance #18-15. All votes yea, motion carried.

A motion was made by Gilbert, seconded by Wilton to amend section 181.013 of Ordinance #15-36 that amended Chapter 181 of the codified ordinances addressing municipal income tax and acknowledging the income tax distribution enacted in August 2017 followed previously approved Ordinance #01-06 and declaring an emergency. All votes yea, motion carried.

**Resolution #18-09:** To pursue CDBG funding for removal of vacant & blighted structures

A motion was made by Frank, seconded by Todd to support a county side application for Community Development Block Grant funds for the elimination of blighted dwellings on its 1<sup>st</sup> reading. All votes yea, motion carried.

Mr. Peebles explains the resolution to council. Lynn Frank questioned what happened to the property after demolition. Peebles explains that the County is capable of putting a lien on the property for a term, which if the property owner sells the property proceeds of the sale can be returned to the County to repay what was invested. This is still being discussed at the County level.

**Resolution #18-10:** To place a park renewal levy on ballot

A motion was made by Dawson, seconded by Gilbert to declare it necessary to levy a tax in excess of the ten-mill limitation pursuant to revised code sections 5705.19, .192, .194, 21, 26 on its 1<sup>st</sup> reading. All votes yea, motion carried.

A motion was made by Frank, seconded by Dawson to approve the invoices in the amount of \$79,646.27. All votes yea, motion carried.

A motion was made by Wilton, seconded by Frank to enter an executive session at 7:37 p.m. to discuss disposition of real estate for public purposes. All votes yea, motion carried.

A motion was made by Wilton, seconded by Thomas to exit an executive session at 7:58 p.m. All votes yea, motion carried.

Chief Hartsock reports he will disburse his zoning report later.

The next regular council meeting will be Monday, July 2, 2018 at 7:00 p.m.  
Planning Committee meeting will be Monday, July 2, 2018 at 4:30 p.m.

Gilbert made a motion to adjourn at 8:00 p.m.

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MAYOR DAN D. MILLER

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CLERK OF COUNCIL