

**VILLAGE OF DELTA
VILLAGE COUNCIL PROCEEDINGS
MONDAY, NOVEMBER 5, 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 Pastor Chuck Whitmire from Shiloh Church

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

Visitor's present: Bill O'Connell (Village Reporter), April Tanner, Michael Tanner, Tim Cowden, Kristy Cowden, Chad Johnson, Quintin Gigax and Tim Suter

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

Minutes October 15, 2018:

A motion was made by Art Thomas, seconded by Bob Gilbert to approve the October 15, 2018 council minutes. All votes yea, motion carried.

Visitors:

Kristy Cowden (605 Palmwood Street) addressed council with the following questions.

- She heard that the Mayor visited all the residents that had Vote No signs in their yard and apologized that they missed his visit. (Mayor Miller stated he did not make it to all of them but only made it to a few)
- She heard that the Mayor said during his visits to the residents that the reservoir was low and directly related to Nature Fresh. (Mayor Miller states that was not what he said, he explained that the reservoir was lower 6

years ago when we pumped water out of the lower reservoir into the upper reservoir which was before Nature Fresh coming here.)

- She also heard that Mayor Miller said if Issue 8 doesn't pass on November 6th we were going to raise property taxes. (Mayor Miller explained that he did not say we were raising property taxes, he explained that the money that we would receive from Issue 8 is equivalent to 4.1 mil levy)
- She explained that she found in the Ordinances that the Village Administrator must live within the Village limits within 6 months of being hired. (Mayor Miller explained in the ORC that you can't force an employee to live in the community. Mr. Heban explained that the ORC also states that you can't discriminate based on residency as long as the person lives within the county or a contiguous county.)
- Mrs. Cowden questioned five places where the council meeting minutes are posted. She would like to know where those 5 places are. (Mossing explained that the Special Committee Meeting agendas are placed at F & M Bank, Public Library, Memorial Hall, Community Market and the Local Post Office.)
- Mr. Cowden asked where the regular council agenda is posted. (Mossing states the agenda is posted in the Memorial Hall. Mayor Miller states by the Village of Delta's Charter we have regular council meetings on the 1st and 3rd Monday of every month. Peebles explained he would have to investigate posting the agenda in 5 places we can't answer that question directly.)
- Mrs. Cowden heard that the Village is tired of paying our fire department and that the Village wants them out of the building because its owned by the Village. (Mayor Miller states that's the farthest thing from the truth. He explains that the Village has a 5-year contract with York Township for the fire department.)
- Kristy Cowden asked when the contract started. (Brad Peebles states we are in the first full year of the contract. He explained that last year during contract discussions we conversed transferring the building to York Township with the provisions if they did not use the building for a fire department the building would revert to the Village, which they declined that offer.)

- Mr. Cowden received an OMEA alert about the Ohio General Assembly is going to be in session after election day trying to limit municipality electric KWH tax for new customers. He questioned councils plan B since we don't technically have customers in the area at this time if Issue 8 passes. (Mr. Peebles says, according to the legislative alert you refer to, if in fact the Ohio Legislature repeal or limit the KWH usage tax paid to the Village, it will be my recommendation to council that we proceed with creating the municipal system for two reasons. 1. We still can sell electric power cheaper than first energy, which then will give us a competitive advantage for existing industry and any new industry. 2. If we attract new industry because of that it will generate new income tax revenue that will offer opportunity to replace the KWH usage tax that we may lose in this initiative.
- Mr. Cowden says that the whole basis of what we have been going on is the \$150,000 KWH usage tax and that's not potentially in the picture any more. (Mr. Peebles explains that this is a First Energy initiative to repeal that tax that affects numerous communities in the State of Ohio and he will recommend to council to proceed with the municipal electric to offer competition and an option in the economic development ring. Peebles states that council will have to decide.)

Mr. Dawson asked Mr. Cowden if he would be really concerned about this issue if he wasn't driving a Toledo Edison truck. (Mr. Cowden replied, yes, he would. He explained he doesn't care for a government run entity and personally thinks it should be privately run.

Village Services - Mr. Wilton stated he went to the cemetery and the columbarium looks very nice. He also asked to have a committee meeting before the next council meeting on the 19th at 6:30 p.m. to discuss water/sewer base charges on utility bills for the people who go out of town.

Property: Tony Dawson asked for a committee meeting before the next council meeting on the 19th at 6:45 p.m. to discuss advertising three properties at Southwood Falls and a property swap with FCHC.

Finance Director's Report:

- Certificate of Recognition – Fulton County Amateur Radio Club/December 1, 2018

A motion was made by Art Thomas, seconded by Bob Gilbert to approve the certificate of recognition for the Fulton County Amateur Radio Club on December 1, 2018 from 5:00 a.m. to 1:00 p.m. for a radio show at the Memorial Hall. All votes yea, motion carried.

Administrators Report: Administrator's written report was distributed to council

- Review requested modifications to annexation agreements with York Township.

Mr. Peebles explains a few modifications that York Township would like included in the annexation agreements. He has encouraged council to make the modifications.

A motion was made by Art Thomas, seconded by Frank Wilton to approve the two changes as follows. Include supporting documentation for service fee and to include in Section 4 that the Village will pay an annual service fee after the Village has collected four consecutive quarters of income tax fees related to the operations of the property owner. All votes yea, motion carried.

Old Business:

Ordinance #18-25: Establishing municipal electric service territory

A motion was made by Wilton, seconded by Gilbert to establish the service territory for the municipal electric service and procedure for customers seeking to become a customer of Delta municipal electric utility on its 2nd reading. All votes yea, motion carried.

Ordinance #18-26: 2019 budget appropriations

A motion was made by Dawson, seconded by Frank to make appropriations for the Village of Delta for the year 2019 on its 2nd reading. All votes yea, motion carried.

New Business:

Ordinance #18-27: To dispose of certain property

A motion was made by Dawson, seconded by Gilbert to authorize the Village Administrator to dispose of certain real estate not needed for any municipal purpose on its 1st reading. All votes yea, motion carried.

Resolution #18-18: To advertise for bids for resurfacing of Monroe Street in 2019

A motion was made by Wilton, seconded by Thomas to authorize the Village Administrator to advertise for bids and enter into contract for resurfacing of Monroe Street in 2019 on its 1st reading. All votes yea, motion carried.

Resolution #18-19: Execute agreement with DGL Consulting Engineers, LLC

A motion was made by Todd, seconded by Thomas to authorize the Village Administrator to execute an agreement with DGL Consulting Engineers, LLC for survey and design work for roadway and storm drainage design work on its 1st reading. All votes yea, motion carried.

A motion was made by Lynn Frank, seconded by Art Thomas to approve the invoices in the amount of 167,446.27. All votes yea, motion carried.

The next regular council meeting will be Monday, Nov 19, 2018 at 7:00 p.m

A Village Services committee meeting will be Monday, Nov 19, 2018 at 6:30 p.m.

A Property committee meeting will be Monday, Nov 19, 2018 at 6:45 p.m.

Dawson made a motion to adjourn at 7:28 p.m.

MAYOR DAN D. MILLER

CLERK OF COUNCIL