

**VILLAGE OF DELTA
VILLAGE COUNCIL PROCEEDINGS
MONDAY, MAY 6, 2019 AT 5:30 P.M.**

Meeting called to order at 5:30 p.m. by Mayor Dan Miller

Pledge of Allegiance was led by Dan Miller

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

Public Hearing Visitor's present: Tim Cowden, Shane Carter, Amy Carter, Mitchell Zalesak, Bob Gilbert and William Heckler

Council Visitor's present: Tim Cowden, Shane Carter, Amy Carter, Mitchell Zalesak and William Heckler

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

A motion was made by Ashley Todd, seconded by Bob Gilbert to excuse Tony Dawson from May 6, 2019 council meeting. All votes yea, motion carried.

A motion was made by Bob Gilbert, seconded by Art Thomas to amend the agenda adding Resolution #19-07 to New Business. All votes yea, motion carried.

Minutes April 15, 2019:

A motion was made by Lynn Frank, seconded by Frank Wilton to approve the April 15, 2019 council minutes. All votes yea, motion carried.

Public Hearing: Rezoning of 104 – 106 South Madison Street from R-2 Residential to B-1 Central Business.

- Public Hearing was opened at 5:32 p.m.

Mr. Peebles explained the Village was petitioned by property owners of 106 South Madison, Shane and Amy Carter and 104 South Madison, Bob Gilbert. A few

months ago, the Carters approached the Village concerning the zoning so they could facilitate a child day-care center. 106 S. Madison Street is not contiguous to zoning classified as business. They needed support from 104 S. Madison Street which is adjacent to property zoned as B-2 so then they would be connected to the business classification.

Peebles explains the Village Planning Commission reviewed this issue and has recommended approval to the Village Council.

Brad explained that there is legislation on the agenda which states that Council approves the Planning Commission recommendation to amend the zoning map to reflect the change and will need a 2/3 approval vote.

Lynn Frank asked Bob Gilbert if he planned on doing anything with the property or was, he just going along with the change for the Carters? Mr. Gilbert states he doesn't have any plans, at this time, for that property.

Frank Wilton asked if we had any response to the letters, we sent out to the surrounding property owners. Mr. Peebles said he has had no response to the mailing. Brad explained the Village mailed letters to 35 properties within 200 feet.

Mr. Heban pronounced for the record that Mr. Gilbert is sitting in the audience not in his council seat at this time.

A motion was made by Frank Wilton, seconded by Lynn Frank to exit the public hearing at 5:35 p.m.

Visitors: Tim Cowden, 605 Palmwood Street, asked if he could get a microphone for the public when speaking as you can not hear them on the audio that is supplied on the Village's website. He also asked about the revitalization grant updates as he could not attend that last meeting.

Mr. Peebles said he was sure we could get a microphone.

Brad also explained to Mr. Cowden and the audience that we were made aware that the grant amount for this year is \$750,000 as opposed to \$500,000. The

Village is looking to amend the plans to add additional drainage work on Harrison and McKinley Street. Those plans are being processed and will be submitted in June.

Mitchell Zalesak, 5 Pelton Drive, he inquired about the property that Bob bought and is trying to change over into a business.

Mayor Miller explained to Mr. Zalesak that we opened the public hearing at 5:32 and had a discussion and it was closed at 5:35 p.m.

Mr. Heban explained that since we have legislation on the agenda we could comment at this time on this issue.

Mr. Zalesak asked what the reasoning was for this zoning change?

Mr. Peebles explained that Mr. and Mrs. Carter who resides at 106 S Madison Street petitioned for the change to provide child daycare, and because they are not contiguous to a business zoning district, they requested Mr. Gilbert participate in the rezoning.

Mr. Zalesak asked what that did for his property value? Mr. Peebles stated that he envisioned virtually nothing.

Mr. Zalesak asked if there was going to be a building put up? Brad explained that Mr. Gilbert has stated that nothing is planned Gilbert is doing this to support the Carters.

Mr. Zalesak asked if the Carters already have a daycare facility? Peebles said yes, they do have a daycare but in order to expand they have to have certain qualifications for State Licensing.

Mr. Zalesak asked if there would be a vote? Peebles stated yes, later in this session.

Correspondence:

- Mayor Miller reported he attended the Fulton County Economic Development dinner at Founders Hall with over 190 attendees.

Finance Director:

- Certificate of Recognition – Girl Scouts Troop 10924
- Statement of Cash Position Report disbursed

A motion was made by Bob Gilbert, seconded by Art Thomas to approve the Certificate of Recognition for the Girl Scouts Troop 10924 from School year 2019 – 2020 6:00 p.m. to 8:00 p.m. on Thursday after the second Sunday at Memorial Hall for meetings. All votes yea, motion carried.

Administrators Report:

- Administrator written report distributed to council
- Review & discuss action of Fulton Co Commissioners RE: Open Door
 - Commissioners have acted and extended the loan and grant for an additional 3 years.
- Village participation in a feasibility study for new housing options within the Village
- Letter sent to Gemini Trucking concerning the Pallett Co at 500 Madison Street
- Fire report was distributed to council on inspection for Gemini Trucking
- May 20th we will be taking pictures of Village Council, Administrator and the Mayor for the new website at C & J photography.

New Business:

Ordinance #19-06: Accepting recommendation of the Village Planning Commission

A motion was made by Thomas, seconded by Wilton to accept the recommendation of the Village Planning Commission to amend the zoning map of the Village of Delta on its 1st reading. Gilbert – abstained, Thomas – Yea, Frank – Yea, Todd – Yea, Wilton – Yea. Motion carried.

Mr. Peebles explained to Mr. Zalesak that this is the 1st reading for this Ordinance and that there will be two more readings of this legislation, sit for 30 days and then will become official.

Resolution #19-06: Declaring it necessary to levy a tax

A motion was made by Wilton, seconded by Todd to declare it necessary to levy a tax in excess of the ten-mill limitation for the pool on its 1st reading. All votes yea, motion carried.

Resolution #19-07: To participate with the Fulton Co office for salt purchase

A motion was made by Gilbert, seconded by Thomas to suspend the readings for Resolution #19-07. All votes yea, motion carried.

A motion was made by Wilton, seconded by Todd to authorize the Village Administrator to participate with the Fulton County Engineers office for salt purchase for the 2019-2020 season on an emergency. All votes yea, motion carried.

A motion was made by Frank, seconded by Todd to approve the invoices in the amount of 88,177.99. All votes yea, motion carried.

Visitors: Mr. Zalesak states concerning the zoning situation, he has lived behind the property for quite some time. He mentions that he does know there is a daycare and it gets out of hand quite often. He believes that having the ability to extend the day care will create more of a nuisance. Mr. Zalesak said he has put a privacy fence up, but he is not for this at all. He would like to see an amendment added that the Carters would have to clean up their property and make it more appealing then he would be more accepting of the zoning.

Mr. Peebles requested an executive session.

A motion was made by Thomas, seconded by Gilbert to enter an executive session to discuss personnel under ORC 121.22 at 5:56 p.m. All votes yea, motion carried.

A motion was made by Wilton, seconded by Gilbert to exit the executive session at 6:15 p.m. All votes yea, motion carried.

The next regular council meeting will be May 20, 2019 at 5:30 p.m.

Wilton made a motion to adjourn at 6:15 p.m.

MAYOR DAN D. MILLER

CLERK OF COUNCIL