

**VILLAGE OF DELTA
VILLAGE COUNCIL PROCEEDINGS
MONDAY, JANUARY 20, 2020 AT 5:30 P.M.**

Meeting called to order at 5:30 p.m. by Mayor Bob Gilbert

Pledge of Allegiance was led by Bob Gilbert

Prayer was led by Dave Underwood, Church of Christ

Employee's present: Stephanie Mossing (Finance Director), Brad Peebles (Administrator), Bob Gilbert (Mayor), Nathan Hartssock (Police Chief), Matt Kosier (Officer) and Kevin Heban (Law Director)

Visitor's present: Tim Cowden, James Frye, Dave Underwood, Christina Churchill, T.W. Churchill, Garry Chamberlin, Carol Chamberlin and John Bay

ROLL CALL—Present: Tony Dawson, Ashley Todd, Frank Wilton, Chad Johnson, Mike Tanner and Lynn Frank

Minutes January 6, 2020:

A motion was made by Frank Wilton, seconded by Ashley Todd to approve the January 6, 2020 council minutes. All votes yea, motion carried.

Visitors:

Christina Churchill (Chamber of Commerce President), 6 Meadow Lane Dr., approached council concerning the sale of property at the west end of the village where the Chamber of Commerce's sign is displayed. Mrs. Churchill asked council why the Chamber wasn't notified of the sale of the property where the West end shed is located that the Village owned and where the chamber sign is displayed. She asked if there was any agreement with the new property owner for the sign. She stated she had information about the property but couldn't find any agreement with the auditor's office.

Mr. Peebles informed her there is an easement specifically written for the sign with access to it from existing property. He indicated he would get an executed copy to her.

She questioned where the easement was because it was not at the auditor's office. Mr. Peebles explained that it was at the Fulton County Records office.

Brad also explained to her the reason we didn't contact the Chamber was because we knew in advance that we were going to have an easement to allow that property. Because the sign itself is the Chambers but all the other fixtures are the Village's and we maintain the fixtures.

Mrs. Churchill announced she has spoke with the property owner and he expressed he is unaware of any easements for the sign. Mr. Peebles explained that the attorney for the sale, the purchaser and the Village has the easement with his signature.

Committee Assignments:

Vice Mayor Wilton submitted a copy of the committee's to council. There were no questions or concerns.

A motion was made by Tony Dawson, seconded by Ashley Todd to approve the committees as submitted. All votes yea, motion carried.

Mayor Gilbert explains that he had a conversation with Chief Hartsock concerning the traffic light pole missing at Main and Madison Street. Gilbert asked Mr. Peebles to explain the situation with the pole since he has been involved with the issue since the beginning.

Peebles explained that the pylons that protected the signal were hit in the spring by Gemini Trucking, which have been paid for the repairs. Following that a trucker hit the pylons and took the signal out. We have ordered a new pole through FET back in August and the minimum time to get the pole would have been 16 weeks. He explains that he had a discussion with FET (2) two weeks ago and there was a shortage with the company that makes the pole. They anticipated another 6 to 8 weeks before the pole is available.

Village Administrator:

- Written report was submitted

Finance Director:

- Certificate of Recognition – Nature’s Nursery
- Certificate of Recognition – Great Oak Service Girl Scouts
- Certificate of Recognition – Delta AA
- Certificate of Recognition – Western Ohio Service Girl Scouts
- Certificate of Recognition – Fulton Union Christian Church

A motion was made by Tony Dawson, seconded by Frank Wilton to approve the certificate of recognition for Nature’s Nursery to use Memorial Hall on January 26, 2020 from 1:30 p.m. to 2:30 p.m. for a nature program open to the public. All votes yea, motion carried.

A motion was made by Frank Wilton, seconded by Tony Dawson to approve the certificate of recognition for Great Oak Service Unit Girl Scouts to use Memorial Hall on March 13, 2020 from 5:30 p.m. to 7:30 p.m. for a cookie event. All votes yea, motion carried.

A motion was made by Tony Dawson, seconded by Frank Wilton to approve the certificate of recognition for Delta AA to use Memorial Hall Wednesday evenings in 2020 from 7:00 p.m. to 10:00 p.m. All votes yea, motion carried.

A motion was made by Frank Wilton, seconded by Chad Johnson to approve the certificate of recognition for Western Ohio Service Unit 133 Girl Scouts to use Memorial Hall on the 2nd Monday of each month from 6:30 p.m. to 8:30 p.m. for service unit meetings. All votes yea, motion carried.

A motion was made by Tony Dawson, seconded by Ashley Todd to approve the certificate of recognition for Fulton Union Christian Church to use Wildwood Shelter House on July 19, 2020. All votes yea, motion carried.

Rules & Ordinance:

- Consider any amendments to draft Ordinance 20-02

- Review revisions to Rules of Council with motion to approve.

Ashley Todd states that at the last meeting council was asked to review Ordinance #20-02 concerning golf carts and bring any amendments to this council meeting to discuss. She stated that Chief Hartsock has some things that he was concerned about and asked him to clarify.

Chief Hartsock states he has had conversations with most of the council regarding the golf cart ordinance and he wants to renew his objection that this is a safety issue and he doesn't think it's a necessary thing. He states if it does go forward, he has changes or concerns he would like to see in the ordinance. Changes pertain to brake lights, inspection clarity, Main Street and State Route 109 issues, license plate, seat belt and child restraint concerns. He would like to see some sort of license or sticker for the golf cart similar to the bicycle licenses and he also wants to know if there is going to be an annual inspection or just a one-time inspection.

Brad Peebles explains the inspection from another jurisdiction premise, is that if a golf cart is inspected and allowed in another jurisdiction should they be accepted in the Village for a weekend/special activity, hypothetically.

Ashley discussed the revisions in the Rules of Council that was disbursed to council.

Peebles explained that the time was changed for council meetings and amended the order of agenda to include visitors' questions at the end of the council meeting.

A motion was made by Frank Wilton to approve the revised Rules of Council, seconded by Tony Dawson. All votes yea, motion carried.

Property:

Tony Dawson reports he was approached by someone concerning the flag at Memorial Hall not having a light on it in the evening. He would like to see the Village change that and light the flag.

Brad said it isn't an issue to put a light on the flag.

A motion was made by Frank Wilton, seconded by Tony Dawson to install a light for the flag at Memorial Hall. All votes yea, motion carried.

Old Business:

Ordinance #19-20: Authorizing to dispose of certain surplus property

A motion was made by Wilton, seconded by Todd to authorize the Village Administrator to dispose of certain surplus property not needed for any municipal purpose on its 3rd reading. All votes yea, motion carried.

Resolution #19-21: To advertise for bids and enter a contract for resurfacing Adrian St.

A motion was made by Dawson, seconded by Wilton to authorize the Village Administrator to advertise for bids and enter a contract for the resurfacing of Adrian Street on its 3rd reading. All votes yea, motion carried.

Ordinance #20-01: Accepting petitioned land for annexation

A motion was made by Dawson, seconded by Johnson to accept petitioned property for annexation filed with the Village of Delta and establish the zoning classification for the same on its 2nd reading. All votes yea, motion carried.

Resolution #20-01: An agreement with Feller Finch & Assoc

A motion was made by Todd, seconded by Wilton to authorize the Village Administrator to execute an agreement with Feller Finch & Associates for land

plan and concept work and professional services to facilitate residential growth in Delta on its 2nd reading. All votes yea, motion carried.

New Business:

Ordinance 20-03: To secure loan/grant with the USDA

A motion was made by Dawson, seconded by Johnson to authorize the Village Administrator to make application for and execute any necessary documents to secure loan/grant finance package with the USDA of Rural Development for the reconstruction of a portion of Fernwood Street infrastructure on its 1st reading. All votes yea, motion carried.

Resolution 20-02: An agreement with Fulton Co Emergency Mgmt. Agency

A motion was made by Wilton, seconded by Todd to suspend the readings for Resolution #20-02. All votes yea, motion carried.

A motion was made by Todd, seconded by Wilton to authorize the Village Administrator to execute an agreement with Fulton County Emergency Management Agency for service mandated by Ohio Revised Code as an emergency. All votes yea, motion carried.

A motion was made by Frank, seconded by Todd to approve the invoices in the amount of \$253,583.36. All votes yea, motion carried.

Questions related to council proceedings:

Tim Cowden, 605 Palmwood Street, asked what the property was for Ordinance 19-20 that was for sale. Peebles explained it would be advertised for sealed bids and it's an old pick-up that the sewer department isn't using anymore.

Mr. Cowden asked what #8 was on the agenda under Correspondence. Council realized they had skipped it, not intentionally.

Mr. Peebles explained the correspondence distributed to council was an EPA notice of North Star application for a 401 permit. This is a public notice that the Village receives every year and is required from Ohio EPA to notify surrounding jurisdictions. This notice is concerning the discharge activity from North Star.

Christina Churchill, 6 Meadow Lane Drive, asked if the Village could clarify what utilities were shut off, as the Chamber sign electricity is not on. Peebles states, as he has indicated to Mrs. Churchill previously, that as a result of the sale the Village has learned that Mr. Mansfield (owner of West Main Street property) shut off the electricity and there was a circuit that ran to the sign for the Chamber of Commerce under the Village's utility bill. Peebles said he has investigated what it would take to have a secondary electric service dropped at that site. He was informed it would take a set of engineered plans and a separate meter. Toledo Edison projected it would be a \$5,000 expense.

Mrs. Churchill asked if the cost would be \$5,000 is this something the Village of Delta would work with the Chamber on, since they were not notified of the sale of the property. She commented they didn't budget for this cost or extra utility cost.

Mr. Peebles suggested he talk with Mr. Mansfield and try to come to an agreement with purchasing the electricity for the Chamber sign.

Mr. Tanner told Christina Churchill he would work with the Chamber and he would donate his time to help in this situation. He is a licensed electrician and he will see what he can do to help.

Mrs. Churchill states that Worthington Steel and North Star purchased the Chamber signs, but it was stated previously that the columns and infrastructure that the signs are on is Village property. So, she asked what will happen if these need to be moved. Is the Village prepared or willing to allow the Chamber to

take the signs off that property? She stated that with talking with Mr. Mansfield his intent was they were in the way on his property and wanted them moved.

Mr. Peebles states he doesn't anticipate this will be an issue because along with the Chamber sign there is a telephone station that is on the property and is more in the way than the sign itself.

The next regular council meeting will be February 3, 2020 at 5:30 p.m.
Rules & Ordinance Committee Meeting will be February 3, 2020 at 5:00 p.m.

Dawson made a motion to adjourn at 6:29 p.m., Todd seconded.

Mayor Bob Gilbert

Clerk of Council