

**VILLAGE OF DELTA
VILLAGE COUNCIL PROCEEDINGS
MONDAY, SEPTEMBER 21, 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 Mayor Gilbert

Prayer was led by Pastor Randy Ruffer from Swan Creek Church

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

Visitor's present: Bill O'Connell (Village Reporter), Jill Schaller, Tim Cowden, Sam Carisales, Reid Rayfield, Joe Short, Brandi Roberts, Laura Runkle, Jenny Stereff

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

Absent: Tony Dawson

A motion was made by Frank Wilton, seconded by Ashley Todd to excuse Mr. Dawson's absenteeism from the September 21, 2020 council meeting. All votes yea, motion carried.

Minutes August 31, 2020:

A motion was made by Ashley Todd, seconded by Chad Johnson to approve the August 31, 2020 council minutes as written. All votes yea, motion carried.

Public:

Joe Short, 24620 Co Rd. A, Archbold, Ohio, candidate for Fulton County Commissioner introduced himself and thanked council for letting him speak.

He briefed council on his qualification and visions for the Fulton County Commissioner seat.

Brandi Roberts, 609 Palmwood Street, had multiple questions about our water rate increase legislation. She asked why they should be paying more for our water when there is failing infrastructure and there are constant boil advisories? She states that the community is not notified in a timely fashion of these boil advisories. Ms. Roberts states we need to fix the infrastructure but not raise the water rates.

Mr. Peebles explains that our cost to operate the water plant is no different than any other business and has continued to escalate. He explained the last time the water rates were raised were in 2009. He explained the proposed rate increase of \$.07 per 100 cu ft which is 750 gallons of water, which equates approximately \$3.36 for an average user in the first year. He agreed with Ms. Roberts on fixing the infrastructure and we need to define, identify and begin to replace some of the lines, and we are working on it.

Ms. Roberts questioned the rate increase versus a city tax since it is an infrastructure and water is a natural resource?

Mr. Peebles explained that the Water System is supposed to be a self-sustained entity. He said we can have tax levies to do that and we have discussed it. He explained Ohio EPA has been pushing this community and every community to identify the problem areas and identify where the financial resources are coming from to be able to repair or replace the water lines.

Mr. Peebles addressed the notification process for water boil advisories. He explained that Ohio EPA required that anyone that depressurizes or loses water for a period has to be notified of that depressurization within 24 hours and understands her concern. He explains sometimes it takes the total of 24 hours to repair the water line and deliver the notices to the residents. Brad encourages everyone to sign up with the Civic Alert system, which is a system that we cooperate with Fulton County where you can receive a text, email or phone call that alerts the residents of boil advisories and general information.

Ms. Roberts asked about the elderly residents that can't sign up for it. Peebles states they can receive a phone call and the staff at Memorial Hall can help them sign up.

Ms. Roberts asked how the residents are supposed to know about this program?

Peebles explained the Village mailed every resident a flyer about a year ago asking them to sign up for the program and it is on our social media platforms. He explained that we continue to extend our services to help people sign up for Civic Alert.

Brandi Roberts asked about a letter that was mailed to everyone that states the Village completed work on the filtration system on April 24th. She asked for an explanation of why it took 5 months to receive the notice when our water could have been bad and there are people in the Village that have immune deficiencies and could have got severely sick.

Brad Peebles explained that the Water Department replaced filters in our R.O. system with 6 1/2" filter which was down-sized from a 7" filter. The filters do the same exact thing, it was just a different size. The Ohio EPA required that anytime there is a change like this made, testing must be conducted to record the revised filters achieve the requirements, which needs certified and approved by EPA, unfortunately our staff missed that. He explained that at no point was our water in jeopardy, we test our water daily. Since we did not do the required testing, we had to notify everyone of the violation.

Brandi asked if there was a chance of voting on this as a town? She believes it would be good for the community to be involved with this kind of thing or a tax levy for the infrastructure.

Brad said it would be entirely up to Council, he believes council has an obligation to make sure the Water Department remains financially solvent and in order for us to accomplish that, this legislation is needed.

Administrator Report:

- Written report was submitted to council

- Trick-or-Treat Hours

Mr. Peebles expressed that we contacted the communities in Fulton County and all of them except 1 are having Trick-or-Treating on Saturday, October 31st. He recommended to council that we follow suit with the rest of the communities in the County and have Trick-or-Treating on Saturday. The Police Chief has no objections.

A motion was made by Ashley Todd, seconded by Mike Tanner to have Trick-or-Treat on October 31, 2020 from 5:30 p.m. to 7:00 p.m. All votes yea, motion carried.

Mr. Peebles informed council there was a group last year that wanted to conduct a trunk-or-treat in the Village parking lot, they called to see if the parking lot would be accessible for them this year also. Peebles explained to the group if council approved trick-or-treating, he would call them and approve their request.

Law Director:

Mr. Heban submitted a copy of ORC 743.13, at the last council meeting Mr. Chris Bauer asked about the limit that the Village can place on water cost outside the Village limits. Mr. Heban asked him to send him his authority, which he did, which he handed out to council. Heban explained this statute does not apply to the Village, because of the first sentence of the code, *When any person at his own expense has laid down and extended mains and water pipes, we cannot charge them more than 1/10th of what we charge our own residents.* That's not the case in this incident, since the Village lays down the water lines.

Village Services:

- Review and approve minutes from August 31, 2020 Village Services Committee meeting.

A motion was made by Frank Wilton, seconded by Mike Tanner to approve August 31, 2020 Village Services Committee minutes as submitted. Tanner – Yea, Wilton – Yea. Motion carried.

Safety:

- Chief Hartsock submitted monthly police report to council

Chief Hartsock thanked the Delta Eagles for the Back the Blue BBQ fund raiser they had to support the police departments.

Old Business:

Ordinance #20-17: To increase the water rates for the Village of Delta
A motion was made by Frank, seconded by Todd to approve the amended copy of Ordinance 20-17, which amends the minimum monthly charges on water bills from \$31.48 as presented to \$31.00 which is the current fee. All votes yea, motion carried.

A motion was made by Tanner, seconded by Frank to increase the water rates for the Village of Delta amending Section 931.09 and repealing Section 931.08 of the codified ordinances on its 3rd reading. All votes yea, motion carried.

Ordinance #20-18: To increase the sanitary sewer rates for the Village of Delta

A motion was made by Frank, seconded by Wilton to table Ordinance #20-18 until the next council meeting. All votes yea, motion carried.

Mr. Peebles discussed this ordinance and explained that Ms. Frank, Ms. Mossing and himself met and discussed this ordinance. At the time this legislation was prepared, because we were not changing the CSO fee's they were not included in the legislation. Ms. Frank asked if we could insert the \$3.70 CSO fee so that all the charges are on one ordinance. Brad requests Ordinance #20-18 be tabled

this evening and new legislation be prepared and presented at the next council meeting.

Ordinance #20-19: To make supplemental appropriations for the current expenses

A motion was made by Frank, seconded by Johnson to supplement Ordinance #19-15 to make supplemental appropriations for the current expenses of the Village of Delta for fiscal year ending December 31, 2020 on its 2nd reading. All votes yea, motion carried.

New Business:

Ordinance #20-20: Providing for the employment of Nathan Hartsock as Police Chief

A motion was made by Frank, seconded by Todd providing for the employment of Nathan Hartsock as Police Chief for the Village of Delta and authorizing the Mayor to sign a contract to effectuate the agreement on its 1st reading. All votes yea, motion carried.

Ordinance #20-21: Providing for the employment of Brad Peebles as Administrator

A motion was made by Johnson, seconded by Tanner providing for the employment of Brad Peebles as Village Administrator for the Village of Delta and authorizing the Mayor to sign a contract to effectuate the agreement on its 1st reading. All votes yea, motion carried.

Ordinance #20-22: Consenting to allow ODOT to resurface US20A and SR 109

A motion was made by Wilton, seconded by Frank to suspend the readings for Ordinance #20-22. All votes yea, motion carried.

A motion was made by Wilton, seconded by Todd to participate and allow the Ohio Department of Transportation to resurface US20A (Main Street) and State

Route 109 (South Madison Street) and authorize the Village Administrator to execute all necessary agreements to complete the described project and declaring an emergency. All votes yea, motion carried.

Lynn Frank asked about 7L Construction payment, Mossing explained it was the construction company that paved Adrian Street.

Lynn Frank asked about Air Technologies payment, Peebles explained it was the air compressor at the Water Plant.

Chad Johnson asked about Process Solutions payment, Mossing explained it was the service contract for cleaning the filters at the Water Plant.

A motion was made by Lynn Frank, seconded by Frank Wilton to approve invoices in the amount of \$299,370.85. All votes yea, motion carried.

Next regular council meeting will be on Monday, October 5, 2020 at 5:30 p.m.

Wilton made a motion to adjourn at 6:10 p.m., Todd seconded.

Mayor Bob Gilbert

Clerk of Council