

**VILLAGE OF DELTA
VILLAGE COUNCIL PROCEEDINGS
MONDAY OCTOBER 18, 2021, AT 5:30 P.M.**

Meeting called to order at 5:30 p.m. by Mayor Frank Wilton

Pledge of Allegiance was led by Mayor Wilton

Prayer was led by Pastor Dawn Trapp,

Employee's present: Stephanie Mossing (Finance Director), Kevin Heban (Law Director), Nathan Hartsock (Police Chief), Jared Wood (Police Officer) and Brad Peebles (Administrator)

Visitors present: Kyle Comers, Dan Elliot +5, Mike Mattin, Jackie Tipton, Jennifer Mercer, Marcy LeFevre, Ted Haselman, Seth Adkins, Rachel Nagel, Pastor Matthew Voyer, Donna Aleo, Kathryn Bruner, Beth Thomas, Emma Henderson, Jill Schaller, Jessica Ford, Roy Miller, Jacob Kessler (Village Reporter), Brandy Cansky, Kyle Riley, Kristin Brown, Abbey Lamb, Jesus Flores, Stephen Ford, Lynette Nation, Barb Gillen, Pam Born, Tracy Ruple, Lisa Hite, Kelly Valentine, Rick Tressler, Terrance Kieswether, Jason Brown, Emily Callahan, Mary Echler, Leigh Mattin, Bob Gilbert, Pat Ogg, Tim Cowden, Bill Pacak, Tammy Sprow, Doug & Alicia Ford, Dennis Ford, Gary Bronson, Dough Eicher, Merl Creps, Katie Serna, John Bay, Bill O'Connell (Fulton County Media), Carol Donaldson, Eric Donaldson, Bob Lay, Cheryl Tresnan Reighard, Julie Barnes, Marisa Bergman, Beth McSurley and Rob McSurley

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

A motion was made by Tony Dawson, seconded by Chad Johnson to excuse Art Thomas from the October 18, 2021, regular council meeting. All votes yea, motion carried.

Swearing in of Police Officer, Jared Wood:

Mayor Frank Wilton swore in Officer Jared Wood at this time.

Approval of Minutes: Council October 4, 2021

A motion was made by Tony Dawson, seconded by Mike Tanner to approve the September 20, 2021, council minutes as written. Dawson – Yea, Johnson – Yea, Todd – Abstain, Frank – Yea, Tanner - Yea. Motion carried.

Law Director:

Mr. Kevin Heban addressed council and visitors concerning Ordinance #21-14 and why it is on the agenda today. Mr. Heban explained that this Ordinance prohibits a dispensary from going into the Village tomorrow, the kinds of permits allowed in the State of Ohio, and the past moratorium legislation that the Village of Delta passed in 2016 and 2017. The State had not finalized its rules concerning the three (3) permits back in 2016 and 2017 when the Village's legislation was passed. Since the State of Ohio made available a certain number of permits and there were none available when the 2017 legislation expired, no further action needed to be taken. Subsequently the State of Ohio has reopened permit applications for growing facilities and dispensary facilities. Heban explained that Mr. Peebles contacted his office explaining someone inquired about a dispensary and asked what can we do? Heban explained with our zoning classification we can't do anything; therefore, his office prepared the legislation on the agenda, which states if the Village receives a permit application it has to go back to Council whether to grant the application and if so, what conditions it would be granted. Mr. Heban explained Ordinance #21-14 is as an emergency because the permits will be issued in November and the next council meeting, we have is in 2 weeks. Heban said the Ordinance can always be changed in the future and what it does is prohibits a dispensary from going into the Village tomorrow or whenever we receive a permit.

Public addressing council:

Opposing Ordinance #21-14

Mike Mattin, 5455 Co Rd. 6, Delta
Tracy Ruple, 12210 Co Rd 109, Delta
Doug Ford, 111 Edgewood St, Delta
Pastor Matthew Voyer, 801 Fernwood St, Delta
Beth Thomas, 807 Eastwood, Delta
Ted Hasselman, 3200 Co Rd EF, Swanton
Kristin Minon, 610 Taylor St., Delta
Seth Adkins, Wauseon, OH

Public addressing council:

Supporting Ordinance #21-14

Jesus Flores, 404 Jefferson Street, Delta

Correspondence:

Mayor Wilton read a letter he received from Bonnie Lech opposed to Ordinance #21-14, allowing for the issuance of permits, licenses and approval for marijuana cultivation, processing and/or sale or similar business within the Village of Delta.

Village Administrator:

- Administrator Report submitted

Finance Director:

- Request for approval of invoices as presented
- 3rd Quarter Expense Report, Revenue Report, Month-To-Date Balance Report and Bank Balances reports were submitted.

A motion was made by Tony Dawson, seconded by Ashley Todd to approve the invoices in the amount of \$146,390.00. All votes yea, motion carried.

Old Business:

Resolution #21-17: Declaring it necessary to levy a tax

A motion was made by Frank, seconded by Todd to declare it necessary to levy a tax in excess of the ten (10) mill limitation on its 3rd reading. All votes yea, motion carried.

Resolution #21-18: Authorize execution of agreements with Certified Oil Company

A motion was made by Tanner, seconded by Johnson to authorize the Village Administrator to execute agreements with Certified Oil Company for the purchase of property located at 200 Main Street on its 3rd reading. Dawson – No, Johnson – Yea, Tanner – Yea, Frank – Yea, Todd – Yea. Motion carried.

New Business:

Ordinance #21-13: To make appropriations for the Village of Delta

A motion was made by Frank, seconded by Johnson to make appropriations for the village of Delta, Ohio for the year 2022 on its 1st reading. All votes yea, motion carried.

Ordinance #21-14: Allowing the issuance of permits

A motion was made by Tanner, seconded by Johnson to suspend the readings for Ordinance #21-14. Tanner – Yea, Dawson – Yea, Johnson – No, Frank – No, Todd – No. Motion rejected.

A motion was made by Frank, seconded by Johnson to allow for the issuance of permits, licenses and approval for marijuana cultivation, processing and/or sale or similar business within the Village of Delta on its 1st reading. Dawson – Yea, Johnson – Yea, Frank – No, Todd – Yea, Tanner – Yea. Motion carried.

Ordinance #21-15: Approving component codes of the codified ordinances
A motion was made by Frank, seconded by Tanner to suspend the readings for Ordinance 21-15. All votes yea, motion carried.

A motion was made by Frank, seconded by Tanner to approve the recodification, editing and inclusion of certain ordinances as parts of the various component codes of the codified ordinances of the Village of Delta and declare an emergency. All votes yea, motion carried.

Ordinance #21-16: To enter into an agreement with Pike-Delta-York Schools

A motion was made by Tanner, seconded by Todd to authorize the administration to enter into an agreement with Pike-Delta-York-Local School District on its 1st reading. All votes yea, motion carried.

Resolution #21-20: Accepting the amounts and rates for tax levies
A motion was made by Frank, seconded by Dawson to suspend the readings for Resolution #21-20. All votes yea, motion carried.

A motion was made by Frank, seconded by Todd to accept the amounts and rates as determined by the budget commission and authorize the necessary tax levies and certify them to the County Auditor and declare an emergency. All votes yea, motion carried.

A motion was made by Lynn Frank, seconded by Ashley Todd for Kevin Heban (Law Director) to create legislation for a 1-year moratorium and have it ready for the next council meeting. Tanner – Yea, Dawson – No, Johnson – Yea, Frank – Yea, Todd – Yea. Motion carried.

Next regular council meeting will be on Monday, November 1, 2021, at 5:30 p.m.

Dawson made a motion to adjourn at 6:36 p.m., Johnson seconded.

Mayor Frank Wilton

Clerk of Council