

**VILLAGE OF DELTA  
VILLAGE COUNCIL PROCEEDINGS  
MONDAY JUNE 6, 2022, 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 Dave Underwood, Church of Christ

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

Visitors present: John Bay, Kelly Valentine, Beth Thomas, Lynette Nation, Bill O'Connell, Jacob Kessler (Village Reporter), Dan Miller, Adalynn Tanner, Matt Voyer, Tim Cowden, Kathryn Bruner and Dan Elliot

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

**Approval of Minutes: Council May 16, 2022**

*A motion was made by Mike Tanner, seconded by Lynn Frank to approve the May 16, 2022, council minutes as written. Frank – Yea, Todd – Abstain, Dawson – Yea, Tanner – Yea, Thomas – Yea, Johnson – Yea. Motion carried.*

**Public addressing council:**

Beth Thomas, 807 Eastwood Drive, thanked council for adding the marijuana legislation to the agenda. She questioned the ordinance and the word medical that was used in the ordinance and would like clarification and what the intent is for the ordinance. She asked if the intent is to ban medical marijuana or the marijuana in general.

Kevin Heban, Village Law Director, states that the ordinance pertains to medical only, as recreational marijuana is illegal.

**Village Administrator:**

- Review situation with Co. Rd. 10 water tower

Brad explains to council that the water tower on Co. Rd. 10 has sprung a leak in the standpipe. Titan Mechanical has been retained to work on the pipe and will work on it on Wednesday. Dixon Engineering will come in and test and inspect directly after Titan Mechanical is done with their work. He explains that there is approximately a 14' pipe that must be replaced.

- Property and Liability insurance renewal

He anticipates that there will be legislation on the next agenda with emergency language, as he does not believe there will be any issues with it.

- Main Street guard rail is sinking

The Main Street guard rail on West Main is sinking again. There are large cracks in the bank going down to Bad Creek. He explains he has asked the County to come in to evaluate the banks of Bad Creek as they are starting to widen out.

- Pike Township request for Administrator and Mayor to attend their meeting to discuss annexation

Because of the annexation petition that was filed, Pike Twp has asked that himself and Mayor Wilton attend their 7:30 p.m. meeting to discuss the annexation and the area specifically. Also, they were asked to go to York Twp meeting Wednesday at 7:30 for the same reason.

- Park planning of the park

Mr. Peebles explains he has gone out and received a quote to accomplish the park planning efforts with Peterman Associates with a cost estimate of \$11,200 for the planning process. Peebles believes we can do it internally as that was more than he anticipated the expense for the planning. He recommends to council that the Village sends out a survey to all residents asking if there is support for a pool and amenities they would like to see at the park. This will be information that we can use to be a part of our park planning. Brad said he would have the survey printed out for the next council meeting for council to review.

**Finance Director:**

- Approved invoice payments
- May Bank Reconciliation, Expense Report, Revenue Report and Bank Reports was submitted to Finance Chair, Lynn Frank

*A motion was made by Lynn Frank, seconded by Ashley Todd to approve the invoices in the amount of \$153,465.00. All votes yea, motion carried.*

**Law Director:**

- Review Parkwood Street speed concerns:

Mr. Heban explained that they checked with ORC and the minimum speed limit sign they can post on streets is 25 mph. The code allows a 10 mph but only in alleys.

Chief Hartsock stated he put the radar speed limit station up on Parkwood Street, but it is not working correctly.

**Safety:**

Police Chief states he has had two requests for F-class alcohol permits with the closure of Panther Pride Drive from Delta Chicken Festival for July 8, 2022, to July 10, 2022, and from Chamber of Commerce for Dancing in the Streets in the pool parking lot on August 6, 2022. He wanted to know if council have any objections. (There were no objections)

**Old Business:**

**Ordinance #22-05:** Creating a Federal Grant-Jag Fund

A motion was made by Dawson, seconded by Johnson to amend the annual appropriations ordinance, and create a Federal Grant-JAG Fund on its 3rd reading. All votes yea, motion carried.

**Ordinance #22-07:** Specifying approval for pending annexation petition filed

A motion was made by Frank, seconded by Tanner to specify the approval of delta Village Council for the pending annexation petition filed with the Fulton County Commissioners being designated as the Villages twenty-year growth area on its 2nd reading. All votes yea, motion carried.

**Resolution #22-08:** To provide utilities & other services for property seeking annexation

A motion was made by Johnson, seconded by Frank to indicate the Village of Delta will provide utilities and other services for property seeking to be annexed to the Village with the filing of petition for annexation with Fulton County Commissioners on its 2nd reading. All votes yea, motion carried.

**New Business:**

**Ordinance #22-08:** To supplement Ordinance #21-13 appropriations

A motion was made by Frank, seconded by Todd to supplement Ordinance #21-13 to make supplemental appropriations for the current expenses of the Village of Delta for the fiscal year ending December 31, 2022, on its 1st reading. All votes yea, motion carried.

**Ordinance #22-09:** Prohibiting marijuana in the Village of Delta

A motion was made by Tanner, seconded by Frank to prohibit the cultivation of marijuana, processing of medical marijuana, marijuana wholesalers, marijuana retailers and medical retail marijuana dispensaries in the Village of Delta on its 1<sup>st</sup> reading. Todd – No, Dawson – No, Tanner – Yes, Thomas – Yes, Johnson – No, Frank – Yes, Mayor Wilton – Yes. Motion carried.

**Questions related to today's council proceedings:**

Ms. Lynn Frank asked to have more discussion on the marijuana topic and asked why they voted no for the legislation.

Mr. Dawson explained he voted no because not everyone in town voted against the marijuana ballot issue. He believes council is there to represent the whole community not just part of the community.

Mr. Tanner explained that this was put on the ballot and gave everyone the opportunity to vote and has a different view on the vote. The majority voted no.

Mr. Thomas states that was the point of the vote, to get everyone's opinion.

Mrs. Todd asked if we could have other questions on the survey that the Village is going to send out for the park.

Mayor Wilton commented we gave the people an opportunity to vote and the ones that felt strongly about it came out and voted. He does not believe we should mix the two on the survey.

Mr. Peebles said we can ask other questions on the survey, but if we mix issues, we may not get the true reflection on all aspects of the questions on the survey.

Mr. Tanner states that even though the votes came in the way they did, he personally is for the marijuana in the Village.

*A motion was made by Frank, seconded by Tanner to enter an executive session to discuss personnel matters. All votes yea, motion carried.*

*A motion was made by Dawson, seconded Tanner to exit the executive session at 6:31 p.m. All votes yea, motion carried.*

Next regular council meeting will be on Monday, June 27, 2022, at 5:30 p.m.  
Special Village Services meeting will be on Monday, June 27, 2022, at 4:30 p.m.

Dawson made a motion to adjourn at 6:32 p.m., Tanner seconded.

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Mayor Frank Wilton

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Clerk of Council