

**VILLAGE OF DELTA  
VILLAGE COUNCIL PROCEEDINGS  
MONDAY, AUGUST 7, 2023, AT 5:30 P.M.**

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

*Pledge of Allegiance* was led by Mayor Wilton

*Prayer* was led by Pastor Kent Winkler

Employee's present: Stephanie Mossing (Finance Director), Kevin Heban (Law Director), Drew Walker (Police sergeant), Marlena Allwood, Ginger McQuillin, Matt Demaline, and Andy Glenn (Administrator)

Visitors present: Kelsea Silette, Daniel Silette, Isabella Elliott, John Bay, Michael Tanner, Daphne Demaline, Kyle Comers, Nathan Hartsock, Allen Naiber, Jesse Davis, Sandy R. Schwieterman (NW Signal), Kent Winkler (Hope Church of Delta), and Dan Miller

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

*A motion was made by Chad Johnson, seconded by Art Thomas to amend the agenda to add minutes for the Village Services meeting. Shirer – Yea, Johnson – Yea, Frank – Yea, Todd – Yea, Dawson – Abstain, Thomas – Yea. Motion carried.*

**Approval of Minutes:** Council Meeting July 3, 2023

**Approval of Village Services Minutes:** July 25, 2023

*A motion was made by Robert Shirer, seconded by Tony Dawson to approve July 17, 2023, council meeting minutes as presented. All votes yea, motion carried.*

*A motion was made by Robert Shirer, seconded by Art Thomas to approve July 25, 2023, Village Services Committee meeting minutes as presented. Dawson – Abstain, Thomas – Yea, Shirer – Yea. Motion carried.*

*Swearing in of the new officer, Daniel Silette, took place at this time.*

**Correspondence:**

- Ohio Municipal League summary of the local government funding disbursed.

**Village Administrator**

- Written report submitted.
- Discussion on the easement beside the upper reservoir

Mr. Glenn has concerns about First Energy damaging the reservoir if they drive on the property. He explained that he sent the easement agreement to ODNR for their opinion, and ODNR stated they strongly recommend not to enter into an easement agreement that will include the banks with toad rings. Mr. Glenn asked for direction from the council, he believes we have two options, either go back to the agreement and enter language that makes it clear that they can't bring any equipment near the banks with the toad rings, or we decide not to do it. Councilman Thomas asked if he could look at the map again. Councilman Johnson states this was his main concern and recommends that the Village not let them touch our property.

Mr. Heban explained to the council they have the authority to rescind their prior action.

Mr. Glenn retrieved the map for the council to view.

Councilman Thomas asked if we could redo the contract so that they don't drive any heavy equipment on our property. Mr. Glenn said that the only issue with that, and he needs to confirm with First Energy, is they have a total of 150' wide easement, and he believes that's because the towers are 75' tall. Which will put the toad rings and the bank of the reservoir within the fall zone of the towers.

Councilman Johnson asked about their liability. Mr. Glenn said in the agreement they would have to pay to fix anything damaged, which is good, if it isn't a catastrophic failure.

Mr. Heban states there is language in the agreement that requires them to put the property back in the same condition as when they entered the property.

The council members looked at the map and had conversations on different areas of easement they can change the agreement to. Mr. Heban was asked by the council to prepare legislation to rescind Ordinance 23-12.

Mr. Heban said he would prepare legislation to rescind Ordinance 23-12 for the next meeting and if there has been a compromise in the meantime the council does not have to vote on it.

- The schedule of the next council meeting was discussed.

*A motion was made by Lynn Frank, seconded by Robert Shirer to cancel the September 11, 2023, council meeting and make the next council meeting on September 5, 2023, at 5:30 p.m. All votes yea, motion carried.*

**Finance Director:**

- Approval of invoices as presented.

*A motion was made by Ashley Todd, seconded by Lynn Frank to approve the invoices in the amount of \$130,303.82. All votes yea, motion carried.*

**Village Services:**

- Chairman Shirer discussed the water and sewer rates for the Fulton County water line and briefs council on the reason the committee has recommended the rates in Ordinance #23-07 and Ordinance #23-08.

**Safety:**

- Sergeant Walker submitted a report with pictures of the new police vehicles.

**Property:**

- Chairman Dawson asked about a pedestrian crossing sign at the crosswalk of Monroe Street and Adrian Street.

**Old Business:**

**Resolution #23-16:** To implement a recreational vehicle parking program.

A motion was made by Frank, seconded by Todd to authorize the Village Administrator to implement and administer a recreational vehicle parking program on village property on its 3rd reading. All votes yea, motion carried.

**Ordinance #23-06:** Establishing salaries and wages for the Village of Delta personnel.

A motion was made by Ashley Todd, seconded by Robert Shirer to amend Exhibit A of Ordinance #23-06. All votes yea, motion carried.

A motion was made by Ashley Todd, seconded by Robert Shirer to read Ordinance 23-06 for a second reading. All votes yea, motion carried.

A motion was made by Todd, seconded by Frank to establish salaries and wages for the Village of Delta personnel and declare an emergency. Frank – Yea, Todd – Yea, Dawson – No, Thomas – Yea, Shirer – Yea, Johnson – Abstain. Motion carried.

**New Business:**

**Ordinance #23-07:** To increase water & sewer rates outside the village limits.

A motion was made by Shirer, seconded by Todd to read Ordinance 23-07 for a first reading. All votes yea, motion carried.

A motion was made by Johnson, seconded by Shirer to increase the water and sewer rates for users located outside the municipal corporation limits of the Village of Delta amending section 931.09 and 921.28 of the codified ordinances and declaring an emergency. All votes yea, motion carried.

Mike Tanner, 6261 Co Rd 6-3, questioned if for instance a Worthington company were to annex inside the village limits and begin paying inside rates would the Village be back in the same position as it is now?

Mr. Glenn explained to Mr. Tanner it would have a small effect, but then you need to remember they are subject to the 1 1/2 % income tax, so all that would play a factor.

**Ordinance #23-08:** To increase water & sewer rates inside the village limits.

A motion was made by Frank, seconded by Todd to read Ordinance 23-08 for a first reading. All votes yea, motion carried.

A motion was made by Todd, seconded by Frank to increase the water and sewer rates for users located inside the municipal corporation limits of the Village of Delta amending sections 931.09 and 921.28 of the codified ordinances and declaring an emergency. Shirer – No, Johnson – Yea, Frank – Yea, Todd – Yea, Dawson – Yea, Thomas – No. Motion fails.

Lynn Frank asked since we are purchasing water from Fulton County to provide water to the west corridor users will these rates pertain to them. Mr. Glenn said they will be paying the new rates also.

*A motion was made by Robert Shirer, seconded by Lynn Frank to enter an executive session pursuant to Ohio Revised code Section 121.22 (G) to discuss personnel matters. All votes yea, motion carried.*

*A motion was made by Tony Dawson, seconded by Robert Shirer to exit the executive session at 7:02 p.m. All votes yea, motion carried.*

Next regular Council Meeting August 21, 2023, 5:30 p.m.

A motion was made by Dawson, seconded by Shirer to adjourn at 7:04 p.m. All votes yea, motion carried.

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Mayor Frank Wilton

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Clerk of Council

