

COUNCIL MEETING

May 14, 2013

Mayor Coate led Council and the public in the Pledge of Allegiance.

The invocation was given by Rev. Moore of the United Church of Christ.

Mayor Coate called the meeting to order.

Present were: Mayor Coate; *Councilmembers:* Jason Tinnerman, Fred Francis, Debbie Miller, Scott Fogle, Ora Ashley, and Susan Willis. *Also present were:* Manager Kline, Law Director Sell, and Clerk Cantrell.
Absent: None.

The following Certificate of the Clerk of the Council to the presiding Officer of the Council of the Municipality of West Milton was read: The undersigned certified that all requirements to notice and notification has been done or attempted to be done in compliance with Council Rule III.

Dated: May 14, 2013

Signed: Linda L. Cantrell CAP-OM
Clerk of Council

MOTION TO EXCUSE ABSENT COUNCILMEMBERS

There were no Councilmembers absent.

MINUTES

Scott Fogle made a motion, seconded by Fred Francis to adopt the April 9, 2013, Council Meeting Minutes. After a roll call vote, the motion passed unanimously. *Abstain:* None. *Absent:* None. *Minutes adopted.*

Scott Fogle made a motion, seconded by Ora Ashley to adopt the April 23, 2013, Council Workshop Meeting Minutes. After a roll call vote, the motion passed unanimously. *Abstain:* None. *Absent:* None. *Minutes adopted.*

OTHER MINUTES

There were no other minutes at this time.

CORRESPONDENCE TO COUNCIL

Manager Kline stated the Lions Club of West Milton has requested that Council help with the cost of the fireworks for the 2013 Fourth of July Festival. He stated in the past Council has donated three thousand dollars (\$3,000). Mr. Kline stated in 2012 no donation was made due to not being asked.

Susan Willis made a motion, seconded by Ora Ashley to donate five thousand dollars (\$5,000) to the Lions Club of West Milton for the fireworks for the 2013 Fourth of July Festival. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None.*

It was the consensus of Council that five thousand dollars (\$5,000) would be donated to the Lions Club of West Milton for 2013; but they did not want to set a precedent to donate this amount each year. This amount was donated this year due to no donation being made for 2012.

COMMENTS FROM CITIZENS

There were no comments from citizens at this time.

ORDINANCES AND RESOLUTIONS

Resolution CM-13-06

Resolution CM-13-06 was introduced by Council and read by Law Director Sell, A RESOLUTION DECLARING THE INTENTION TO PROCEED UNDER THE ALTERNATIVE TAX DOCUMENT FORMAT PROVIDED UNDER SECTION 5705.281 OF THE OHIO REVISED CODE. Fred Francis made a motion, seconded by Jason Tinnerman to adopt *Resolution CM-13-06*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Resolution CM-13-06 adopted.*

Resolution CM-13-07

Resolution CM-13-07 was introduced by Council and read by Law Director Sell, RESOLUTION REAFFIRMING THE EXISTING PICK-UP PLAN FOR THE POLICE PENSION AND ADOPTING THE NEW PROCEDURES. Susan Willis made a motion, seconded by Scott Fogle to adopt *Resolution CM-13-07*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Resolution CM-13-07 adopted.*

Emergency Ordinance CM-13-08

Emergency Ordinance CM-13-08 was introduced by Council and read by Law Director Sell, AN EMERGENCY ORDINANCE TO AMEND THE 2013 APPROPRIATIONS. Fred Francis made a motion, seconded by Jason Tinnerman to adopt *Emergency Ordinance CM-13-08*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Emergency Ordinance CM-13-08 adopted.*

Manager Kline stated this Ordinance covers the seven hundred and fifty-five dollars (\$755) that needs to be added to the Park Fund from the contributions received in honor of the memory of Duke Small. He stated this was not added to this year's budget. Manager Kline stated it also covers the seven thousand and two hundred dollars (\$7,200) to be moved from the cutters line item because a grant was received for this expense in the same amount and moving it to the radio line item for the purchase of new radios for the Fire Department. Manager Kline also stated forty thousand dollars (\$40,000) is being added to the Sewer Capital Improvement Fund because of the drive motor which needs to be replaced immediately at the Wastewater Treatment Plant. He stated he thinks the cost will be closer to thirty thousand dollars (\$30,000), but he does not have a final quote and wants to make sure there is enough to cover the cost.

Manager Kline asked Council to make a motion allowing the waving of the required bidding procedure for the drive motor for the Wastewater Treatment Plant for two reasons: 1) the motor needs replaced immediately and 2) when the Municipality made the decision to build the plant, they essentially decided what company would provide the tanks and the type of motors it would operate. Therefore, there is only one company who can provide this exact drive motor and the bidding process would only delay the inevitable. He stated anything over twenty-five thousand dollars (\$25,000) has to be approved by Council. Tim Swartztrauber explained the process he went through to try and find companies that could do this work; but that he could only find one to do this work.

Susan Willis made a motion, seconded by Scott Fogle to waive the formal bidding procedure for the drive motor for the Wastewater Treatment Plant. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None.*

Ordinance CM-13-09

Ordinance CM-13-09 was introduced by Council and read by Law Director Sell, AN ORDINANCE ESTABLISHING A CHARTER COMMISSION FOR THE PURPOSE OF REVIEWING AND REVISING THE

EXISTING CHARTER. The public hearing for Ordinance CM-13-09 will be held on Tuesday, June 11, 2013, at 7:30 p.m. in Council Chambers in the Municipal Building.

MIAMI COUNTY SOLID WASTE PRESENTATION

Cindy Bach from the Miami County solid Waste District gave an update to the programs they offer throughout the year. Ms. Back stated the EPA is revamping the solid waste districts. She stated Miami County had gone out on its own and has been a single district. Ms. Bach stated that Miami County is on the bubble of being consolidated. She stated Miami County is working to allow their water and sewer customers to pay their bills with credit cards. Ms. Bach stated Point and Pay is the company that was chosen to do the credit card payments. Ms. Bach stated items are now being taken to the Bellefontaine landfill. She gave information as to the types of things they take at the landfill. Ms. Back also talked about their recycling program; the blue bag program; hazardous household waste disposal program; cell phone refurbishing program; pills given to the Sheriff's Department program; shredding annual event program; rain barrel sale program; and their electronics drop off program.

MUNICIPAL MANAGER

1) PVP Update –

Manager Kline stated the PVP building is down and the contractor has asked for final grade stakes. He stated he has been told the compaction testing has passed, but he is waiting on the final report.

2) Grass –

Manager Kline stated twenty-eight (28) properties have received letters regarding high grass. He stated five (5) of the properties have responded by mowing their grass. Mr. Kline stated five (5) people on the list have received two (2) letters and their grass will be mowed Friday, May 17, 2013. He stated eighteen (18) property owners will be sent a second letter. Manager Kline stated once the grass is 6" tall the Municipality is required to send out letters. He stated the Municipality mows and cleans up once; then if it happens again, one letter is sent out and the property is put on a regular mowing schedule and the property owner is billed on their property taxes. Manager Kline asked citizens who are mowing the front of properties and not the back to call and let the Municipality know the grass needs to be mowed.

- 3) Charter Review Commission –
Manager Kline stated he thought the Charter Review Commission was actually a regular appointment from Council but realized an Ordinance had to be passed establishing a Charter Commission for the purpose of reviewing and revising the existing Charter. The following is a list of the recommended members for the Charter Commission: Krista Carpenter, Jack Scudmore, William O'Brien, Paul Johnson, Chris Long, Robert Herron, Andy Grafflin, Michael A. Coate, and Jason Tinnerman. Manager Kline stated he would serve as advisor, researcher, and administrative support and that Lenee' Brosh would serve as Legal Counsel to the Charter Commission. He stated because this is a municipal election year and because any changes to the Charter need to be approved by the voters, the work of the Charter Commission would need to be done quickly so as to be able to put any issue on the November ballot in time.
- 4) New Video -
Manager Kline stated Tom Beck produced a new video entitled "Things are Happening in West Milton." He stated the video can be reviewed on the westmiltonohio.gov website.
- 5) Assistant Law Director -
Jason Tinnerman made a motion, seconded by Fred Francis to appoint Lenee' Brosh as the Assistant Law Director for the Municipality of West Milton. After a roll call vote, the motion passed unanimously. *Abstain:* None. *Absent:* None.
- Law Director Sell stated this would allow Ms. Brosh to sign legislation and contracts and would allow her to do things for the Municipality in his absence. Manager Kline swore Ms. Brosh in as Assistant Law Director for the Municipality of West Milton.
- 6) Workshop Meeting –
There will be a Council Workshop Meeting on Tuesday, May 28, 2013.

COMMENTS FROM CITIZENS

There were no comments from citizens at this time.

COMMENTS FROM COUNCIL

Susan Willis reminded Manager Kline of the Community Pride Awards. Manager Kline stated he would be having them for the next Council Meeting. He stated the Municipality is taking nominations from anyone.

Mayor Coate thanked Law Director Sell and Assistant Law Director Brosh for their work. He thanked the community for keeping up on their properties. Mayor Coate stated the Municipality has great leaders, a great staff, and Manager Kline. He asked the community to look out for their neighbors.

Susan Willis stated the Fourth of July Parade is now going to be called the Independence Parade. She stated the motorcycles will be in the lower park. Ms. Willis stated Tom Beck from WMPA will be doing a show on this. She asked that anyone wanting to be a part of the parade to sign up so they could be listed as being a part of the parade. Ms. Willis stated Mr. Dafoe was at the last Park Board Meeting regarding the new park area at the old school location. She stated the next Park Board Meeting will be held on Wednesday, May 15, 2013, at 6:30 p.m. at the Municipal Building.

ADJOURNMENT

Fred Francis made a motion, seconded by Susan Willis to adjourn the meeting. The meeting adjourned at 8:18 p.m.

Linda L. Cantrell CAP-OM
Clerk of Council

Michael Coate II
Mayor