

COUNCIL MEETING

November 10, 2015

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

The invocation was given by Pastor Jacob Kesling of the Community Grace Church.

Mayor Francis called the meeting to order.

Present were: Mayor Francis; *Councilmembers:* Sarah Copp, Scott Fogle, Jason Tinnerman, Anthony Miller, Don Dohrman, and Karen Grudich. *Also present were:* Manager Kline, Law Director Lenee Brosh, and Clerk Cantrell. *Absent:* None.

MOTION TO EXCUSE ABSENT COUNCILMEMBERS

There were no Councilmembers absent from the November 10, 2015, Council Meeting.

MINUTES

Scott Fogle made a motion, seconded by Jason Tinnerman to adopt the October 13, 2015, Council Meeting Minutes and the October 27, 2015, Council Workshop Meeting Minutes. After a roll call vote, the motion passed unanimously. *Abstain:* None. *Absent:* None. *Minutes adopted.*

CORRESPONDENCE TO COUNCIL

Manager Kline read a letter from DP&L dated October 30, 2015. The letter stated in late November 2015, DP&L would be asking the Public Utilities Commission of Ohio (PUCO) to approve an increase in its base distribution rates beginning January 1, 2017. The letter stated if approved by the PUCO, this case would result in an increase of \$4.07 to a typical 1,000 KWH residential customer's monthly bill, which is approximately a 3% increase to the total bill.

Manager Kline read a letter from the Ohio Department of Natural Resources (ODNR) dated October 26, 2015. The letter stated the Municipality of West Milton has been conditionally awarded funding in the amount of seventy-six thousand two hundred ninety-three (\$76,293) dollars through the twenty-second (22nd) round of the NatureWorks Grant Program. The letter stated this NatureWorks funding is awarded on the condition that the State of Ohio Controlling Board approves the NatureWorks grant awards in their upcoming meeting.

Mayor Francis asked if the Councilmembers wanted to discuss the garbage bids at this time. Jason Tinnerman stated he looked at this as two (2) reputable companies who can offer the Municipality of West Milton apples for apples. He stated if Council goes with Waste Management it would save the Municipality of West Milton approximately seventy thousand (\$70,000) dollars over the length of the contract. Scott Fogle explained what he liked about going with the Waste Management bid and stated he was leaning towards doing a five year contract with Waste Management. Anthony Miller stated he agreed with Councilmember Tinnerman. He stated he thinks it is a benefit to the Municipality of West Milton to go with Waste Management. Mr. Miller stated he would like to do a five year contract. Don Dohrman stated he felt everyone has summed it up and that the Municipality of West Milton has gotten good service from Waste Management in the past. Sarah Copp stated at first she wanted Rumpke because of their roll around can, but now that Waste Management is offering a roll around can she thinks the contract should be awarded to Waste Management. Karen Grudich stated she agrees. Jason Tinnerman thanked both Rumpke and Waste Management for the time they put into the bidding process. Mayor Francis stated he agrees the contract should be awarded to Waste Management. He stated that every citizen of West Milton that has a water bill would start paying for their trash pickup on their water bill beginning January 2016. Scott Fogle stated going forward he thinks the Municipality of West Milton should look into doing its own trash collection in the future. He stated there are smaller and larger cities that do their own trash collection.

Mayor Francis asked the Councilmembers to state how many years they would like to see the contract be awarded for and to whom:

Grudich – Waste Management – Five Years
Dohrman – Waste Management – Three Years
Miller – Waste Management – Five Years
Tinnerman – Waste Management – Five Years
Fogle – Waste Management – Five Years
Copp – Waste Management – Five Years
Mayor Francis – Did not comment.

COMMENTS FROM CITIZENS

There were no comments from citizens at this time.

ORDINANCES AND RESOLUTIONS

Ordinance CM-15-32

Ordinance CM-15-32 was read by title only by Law Director Brosh, AN ORDINANCE TO AMEND CHAPTER 96 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF WEST MILTON, OHIO, REGARDING MUNICIPAL INCOME TAX. Jason Tinnerman made a motion, seconded by Anthony Miller to adopt *Ordinance CM-15-32*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Ordinance CM-15-32 adopted.*

Manager Kline stated in between Council Meetings it was pointed out that there was a typographical error on page 40 under Amended Returns (C) (1) of the new ordinance. He stated the correction has been made. Manager Kline stated the sentence did read in part “within the period prescribed by division E of Section 96.19 ...” and it was meant to read in part “within the period prescribed by division (A) (2) of this section ...”

Ordinance CM-15-35

Ordinance CM-15-35 was read by title only by Law Director Brosh, AN ORDINANCE TO AMEND THE 2015 APPROPRIATIONS. Jason Tinnerman made a motion, seconded by Don Dohrman to adopt *Ordinance CM-15-35*.

Anthony Miller made a motion, seconded by Jason Tinnerman to amend *Ordinance CM-15-35* as follows: Under fund number 101 General Fund line entitled Total Other Expenditures to amend \$16,500 to \$31,000 which makes a new total amended appropriation to the General Fund from \$1,694,827 to \$1,709,327. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None.*

Scott Fogle made a motion, seconded by Sarah Copp to amend *Ordinance CM-15-35* as follows: Under fund number 620 Sewer Fund line entitled Total Other Expenditures to amend twenty-two thousand eight hundred (\$22,800) dollars to twenty-eight thousand eight hundred (\$28,800) dollars making a new Total Enterprise Fund appropriation from one million nine hundred thousand seven hundred seventy-eight (\$1,900,778) dollars to one million nine hundred six thousand seven hundred seventy-eight (\$1,906,778) dollars and with the previous motion making a Total Appropriations of All Funds from four million fifty-eight thousand two hundred twenty dollars and sixty-three cents (\$4,058,220.63) to a new total of four million seventy-eight thousand seven hundred twenty dollars and sixty-three cents (\$4,078,720.63). After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None.*

Jason Tinnerman made a motion, seconded by Scott Fogle to adopt *Ordinance CM-15-35* as amended. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Ordinance CM-15-35 adopted.*

Ordinance CM-15-36

Ordinance CM-15-36 was introduced by Council and read by Law Director Brosh, AN ORDINANCE AMENDING SECTION 32.30 – VACATIONS AND ABSENCES OF THE WEST MILTON PERSONNEL RULES. The public hearing for *Ordinance CM-15-36* will be held on Tuesday, December 8, 2015, at 7:30 p.m. in Council Chambers of the Municipal Building.

Ordinance CM-15-37

Ordinance CM-15-37 was introduced by Council and read by Law Director Brosh, AN ORDINANCE ESTABLISHING A REFUSE FUND AND AMENDING SECTIONS 53.27 AND 53.32 REGARDING GARBAGE, REFUSE, AND RECYCLABLES OF THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF WEST MILTON, OHIO. The public hearing for *Ordinance CM-15-37* will be held on Tuesday, December 8, 2015, at 7:30 p.m. in Council Chambers of the Municipal Building.

Resolution CM-15-38

Resolution CM-15-38 was introduced by Council and read by Law Director Brosh, A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO EXECUTE A CONTRACT WITH WASTE MANAGEMENT FOR THE COLLECTION AND DISPOSAL OF RESIDENTIAL CURBSIDE REFUSE, CO-MINGLED RECYCLING, AND YARD WASTE DISPOSAL SERVICES. Anthony Miller made a motion, seconded by Scott Fogle to adopt *Resolution CM-15-38*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Resolution CM-15-38 adopted.*

Mayor Francis read the new rates the residents of West Milton would be charged for the collection and disposal of residential curbside refuse, co-mingled recycling, and yard waste disposal services for the next five years. Manager Kline stated letters would be going out to the West Milton residents showing these charges and any changes to expect. He stated the cost for the refuse, recycling, and yard waste removal would be added to the residents' January water bill. Manager Kline asked that if any resident needed the low volume rate they call in to the Municipality of West Milton to let them know; otherwise they will be charged the higher rate.

Ordinance CM-15-39

Ordinance CM-15-39 was introduced by Council and read by Law Director Brosh, AN ORDINANCE TO AMEND CHAPTER 52.116(A) – WATER RATES OF THE WEST MILTON MUNICIPAL CODE. The public hearing for *Ordinance*

CM-15-39 will be held on Tuesday, December 8, 2015, at 7:30 p.m. in Council Chambers of the Municipal Building.

Mayor Francis stated Council has discussed the water rates at great length. He stated the operations rate would not be going up. Mayor Francis stated the City of Troy is raising the Municipality of West Milton's water rates causing the need to raise the water rates to the residents of West Milton.

Resolution CM-15-40

Resolution CM-15-40 was introduced by Council and read by Law Director Brosh, A RESOLUTION TO SPECIFY THE DATE UPON WHICH AN ELECTION SHALL BE HELD TO CONSIDER THE RENEWAL OF THE CURRENT ½% (ONE-HALF OF ONE PERCENT) INCOME TAX FOR THE PERIOD COMMENCING JANUARY 1, 2017, AND EXPIRING DECEMBER 21, 2021, FOR THE SPECIFIC PURPOSE OF POLICE AND FIRE SAFETY SERVICE EXPENDITURES FOR THE MUNICIPALITY OF WEST MILTON, OHIO. Jason Tinnerman made a motion, seconded by Don Dohrman to adopt *Resolution CM-15-40*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Resolution CM-15-40 adopted.*

Manager Kline stated this is for a five year renewal. He stated it helps fund the Police and Fire Departments. The election date to consider the renewal of the current ½% income tax will be held on Tuesday, March 15, 2016. Mayor Francis stated this legislation sets the election date.

Ordinance CM-15-41

Ordinance CM-15-41 was introduced by Council and read by Law Director Brosh, AN ORDINANCE TO RENEW THE LEVY OF THE ½% (ONE-HALF OF ONE PERCENT) INCOME TAX EXPIRING DECEMBER 31, 2016, WITHOUT RECIPROCITY FOR THE SPECIFIC PURPOSE OF FUNDING POLICE AND FIRE OPERATIONS IN THE MUNICIPALITY OF WEST MILTON, OHIO, FOR AN ADDITIONAL FIVE-YEAR PERIOD COMMENCING JANUARY 1, 2017, AND EXPIRING DECEMBER 31, 2021. The public hearing for *Ordinance CM-15-41* will be held on Tuesday, December 8, 2015, at 7:30 p.m. in Council Chambers of the Municipal Building.

Mayor Francis stated this legislation authorizes the placing of the renewal of the current ½% income tax on the March 15, 2016, election ballot.

Ordinance CM-15-42

Ordinance CM-15-42 was introduced by Council and read by Law Director Brosh, AN ORDINANCE TO APPROPRIATE FUNDS NECESSARY FOR THE VARIOUS DEPARTMENTS AND OFFICES OF THE MUNICIPALITY OF

WEST MILTON, OHIO, FOR THE YEAR 2016. The public hearing for *Ordinance CM-15-42* will be held on Tuesday, December 8, 2015, at 7:30 p.m. in Council Chambers of the Municipal Building.

Mayor Francis thanked Council, the Municipal Manager, Department Heads, and the Budget Committee for their work on the 2016 Budget. Manager Kline also thanked Council, Department Heads, and the Budget Committee for their work on the 2016 Budget. He stated they are trying to make it as tight of a budget as possible.

MUNICIPAL MANAGER

1) Tax Refund –

Manager Kline stated is has been discovered that the Municipality of West Milton owes a citizen a tax refund in the amount of fourteen thousand five hundred (\$14,500) dollars.

2) Police Grant –

Manager Kline stated the grant money the West Milton Police Department would be receiving needs to go into the General Fund of the Budget. The grant is for the amount of four thousand one hundred seventy-six (\$4,176.00) dollars and is awarded to the Municipality of West Milton's Police Department from the Miami County Foundation for the purchase of four (4) Automatic External Defibrillators.

3) Sludge Removal –

Manager Kline stated he has reviewed and is considering a scope of services agreement for the dewatering of the Municipality of West Milton's sludge at the Wastewater Treatment Plant. He stated he believes a cost benefit study needs to be completed to determine if there is a way to decrease the Municipality of West Milton's operational costs by increasing its solids. Manager Kline stated he is looking at an engineering firm to give him a cost to dewater the Municipality of West Milton's sludge. He explained the process for dewatering sludge. Manager Kline stated the cost to do the engineering study would be five thousand (\$5,000) dollars. He stated he would give Council more information regarding the dewatering of the sludge at the November 24, 2015, Council Workshop Meeting.

4) Fall Leaf Pick-Up –

Manager Kline stated the Municipal of West Milton's leaf pick-up is approximately mid-way complete. He stated the Street Department is slightly behind picking up leaves due to a water line break and a sewer backup problem.

Manager Kline stated leaf pickup would continue through the month of November 2015. He asked that residents DO NOT rake the leaves out into the street as this causes problems with the storm sewer system. Manager Kline asked the residents to rake the leaves to the edge of the curb. He also asked the residents to NOT include sticks, limbs, rocks, or other such material as the Municipality cannot pick these items up; and if these items get into the vac system it can cause problems and is unsafe for the Municipal employees.

5) Downtown Holiday Open House -

Manager Kline stated the 26th Annual Holiday Open House would be November 19, 2015, through November 22, 2015. He stated at this time he does not have information on a possible tree lighting ceremony. Manager Kline stated once he knows if there will be a tree light ceremony he would let Council know and would post the information.

6) Tim Swartztrauber – Cancer -

Manager Kline asked everyone to support the Swartztrauber family at Fayevores Banquet Hall on Saturday, November 28, 2015. He stated the start time would be 10:00 a.m. Manager Kline stated the activities would start before the OSU/Michigan game. Company 7 BBQ chili, chili dogs, hot dogs, diced onions, shredded cheese, crackers, pies, and cakes will be served. There will be drawings for large and small door prizes. Some of the prizes are a luxury cabin stay, a 50” TV, chainsaws, and gift cards.

7) Workshop Meeting –

A Council Workshop Meeting will be held on Tuesday, November 24, 2015, at 7:30 p.m. in Council Chambers of the West Milton Municipal Building.

COMMENTS FROM COUNCIL

Mayor Francis congratulated Sarah Copp, Don Dohrman, Scott Fogle, and Karen Grudich for winning the November 3, 2015, election. He also thanked the citizens of West Milton for approving the West Milton Charter changes. Mayor Francis thanked all who helped work on the Charter Committee.

Mayor Francis wished the Marines a Happy 240th Birthday. He also read the definition of a veteran.

COMMENTS FROM CITIZENS

There were no comments from citizens at this time.

ADJOURNMENT

Scott Fogle made a motion, seconded by Anthony Miller to adjourn the meeting.
The meeting adjourned at 8:30 p.m.

Linda L. Cantrell CAP-OM
Clerk of Council

Fredric M. Francis
Mayor