

COUNCIL MEETING

December 13, 2016

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

The invocation was given by Rev. Steve Peters of the Gracehaven Church.

Mayor Fogle called the meeting to order.

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

MOTION TO EXCUSE ABSENT COUNCILMEMBERS

There were no absent Councilmembers at this time.

MINUTES

Don Dohrman made a motion, seconded by Anthony Miller to adopt the minutes for the November 8, 2016, Council Meeting, the November 22, 2016, Council Special and Workshop Meeting, and the November 28, 2016, Special Council Meeting. After a roll call vote, the motion passed unanimously. *Abstain:* None. *Absent:* None. *Minutes adopted.*

CORRESPONDENCE TO COUNCIL

There was no correspondence to Council at this time.

COMMENTS FROM CITIZENS

Melida Bockrath the owner of 215-217 Spring Street in West Milton asked about the electric aggregation. Mayor Fogle explained electric and gas aggregation was on the November Election Ballot and was passed by 60/40. He stated AGE will provide aggregation rates for gas and electricity for the community of West Milton. Mayor Fogle stated each citizen has the option of taking advantage of the aggregation rates for gas and electricity if they want or they can opt to not be a part of the program. Manager Kline explained how the aggregation of gas and electricity rates work.

ORDINANCES AND RESOLUTIONS

Resolution CM-16-37

Resolution CM-16-37 was introduced by Council and read by Law Director Brosh, A RESOLUTION AUTHORIZING THE ADOPTION OF AN ELECTRIC POWER AGGREGATION PLAN OF OPERATION AND GOVERNANCE FOR THE VILLAGE OF WEST MILTON, MIAMI COUNTY, OHIO. Jason Tinnerman made a motion, seconded by Sarah Copp to adopt *Resolution CM-16-37*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Resolution CM-16-37 adopted.*

Manager Kline stated Resolutions CM-16-37, CM-16-38, CM-16-39, and CM-16-40 deal with required pieces of legislation for the continuing work toward implementing the gas and electric aggregation program. He stated fourteen (14) communities are doing this. Manager Kline stated once all the communities have passed the necessary legislation for their community then it goes to the Public Utilities Commission of Ohio (PUCO) for approval. He explained the process of how the rates are established.

Resolution CM-16-38

Resolution CM-16-38 was introduced by Council and read by Law Director Brosh, A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF ELECTRICITY FOR THE VILLAGE OF WEST MILTON'S ELECTRICITY AGGREGATION PROGRAM. Sarah Copp made a motion, seconded by Scott Hurst to adopt *Resolution CM-16-38*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Resolution CM-16-38 adopted.*

Resolution CM-16-39

Resolution CM-16-39 was introduced by Council and read by Law Director Brosh, A RESOLUTION AUTHORIZING THE ADOPTION OF A NATURAL GAS AGGREGATION PLAN OF OPERATION AND GOVERNANCE FOR THE VILLAGE OF WEST MILTON, MIAMI COUNTY, OHIO. Anthony Miller made a motion, seconded by Karen Grudich to adopt *Resolution CM-16-39*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Resolution CM-16-39 adopted.*

Resolution CM-16-40

Resolution CM-16-40 was introduced by Council and read by Law Director Brosh, A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF NATURAL GAS FOR THE VILLAGE OF WEST MILTON'S NATURAL GAS AGGREGATION PROGRAM. Scott Hurst made a motion, seconded by Don Dohrman to adopt

Resolution CM-16-40. After a roll call vote, the motion passed unanimously. *Abstain:* None. *Absent:* None. *Resolution CM-16-40 adopted.*

Emergency Ordinance CM-16-42

Emergency Ordinance CM-16-42 was introduced by Council and read by Law Director Brosh, AN ORDINANCE TO AMEND THE 2016 APPROPRIATIONS AND DECLARING AN EMERGENCY. Jason Tinnerman made a motion, seconded by Anthony Miller to adopt *Ordinance CM-16-42*. After a roll call vote, the motion passed unanimously. *Abstain:* None. *Absent:* None. *Emergency Ordinance CM-16-42 adopted.*

Manager Kline stated the new Development Agreement for Stillwater Crossing includes a development fee of twenty-one thousand eight hundred thirty-three (\$21,833.00) dollars for December 2016. Due to needing to pay this in 2016 he stated the 2016 Appropriations needed to be amended.

Ordinance CM-16-43

Ordinance CM-16-43 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 2017. The public hearing for *Ordinance CM-16-43* will be held on Tuesday, January 10, 2017, at 7:30 p.m. in Council Chambers of the Municipal Building.

Mayor Fogle stated for the last few years the Mayor, Vice Mayor, and other Councilmembers meet three (3) times with every department head and Manager Kline and discuss the Budget. He stated all Councilmembers have the opportunity to serve on the Budget Committee if they should want to do so.

Manager Kline gave a recap of various items that are included in the 2017 Budget.

Resolution CM-16-44

Resolution CM-16-44 was introduced by Council and read by Law Director Brosh, RESOLUTION TO AUTHORIZE THE CONTINUING EMPLOYMENT OF THE MUNICIPAL MANAGER AND TO AUTHORIZE THE ADOPTION OF THE NEW EMPLOYMENT AGREEMENT FOR THE MUNICIPAL MANAGER ATTACHED HERETO. Anthony Miller made a motion, seconded by Sarah Copp to adopt *Resolution CM-16-44*. After a roll call vote, the motion passed unanimously. *Abstain:* None. *Absent:* None. *Resolution CM-16-44 adopted.*

Resolution CM-16-45

Resolution CM-16-45 was introduced by Council and read by Law Director Brosh, A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO PREPARE

AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED. Jason Tinnerman made a motion, seconded by Don Dohrman to adopt *Resolution CM-16-45*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Resolution CM-16-45 adopted.*

Manager Kline stated this resolution authorizes the submitting of an application for and Ohio Public Works Commission (OPWC) loan for a pump station and replacement water tower for West Milton. He stated our district of OPWC typically has a strong balance of loan only funds which typically are returned to the State. Manager Kline stated this year was no different. He stated however in anticipation of the development and the need for a tower to provide proper pressure for fire protection and the single family homes he worked with the district to provide a supplemental loan-only round of applications. Manager Kline stated the program remains the same and the applications from each community are competitive in nature. He stated at least one or more other communities would be submitting applications. Manager Kline stated there is no guarantee that the Municipality will be awarded the loan; however, the terms are very favorable (*30 years at 0%*).

Resolution CM-16-46

Resolution CM-16-46 was introduced by Council and read by Law Director Brosh, RESOLUTION TO AUTHORIZE A PAY INCREASE FOR FULL-TIME EMPLOYEES FOR THE YEAR 2017. Don Dohrman made a motion, seconded by Scott Hurst to adopt *Resolution CM-16-46*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Resolution CM-16-46 adopted.*

Manager Kline stated this piece of legislation establishes the pay raise for the Municipal employees for calendar year 2017 and sets the Fire Department personnel wages to be one (\$1.00) dollar above minimum wage currently and into the future. Sarah Copp stated the Municipal employees are a great group of people and deserve raises. Manager Kline thanked Council for the pay increase on behalf of the Municipal employees.

Resolution CM-16-47

Resolution CM-16-47 was introduced by Council and read by Law Director Brosh, A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE WARREN COUNTY PORT AUTHORITY FOR THE PURPOSE OF PROVIDING SERVICES RELATED TO THE STILLWATER CROSSING PROJECT. Sarah Copp made a motion, seconded by Jason Tinnerman to adopt *Resolution CM-16-47*. After a roll call vote,

the motion passed unanimously. *Abstain: None. Absent: None. Resolution CM-16-47 adopted.*

Manager Kline explained what a Port Authority is and how it works.

MUNICIPAL MANAGER

1) Development Update –

Manager Kline stated the engineers are gathering data to create a design along with hard numbers that will be incorporated into the TIF. He stated he would be meeting with the attorneys on Friday, December 16, 2016, to go over all the information he has accumulated through various meetings and giving them instructions to the creation of the actual TIF agreements. Manager Kline stated things are proceeding as fast as they can with still more questions than answers at this point.

2) Political Signs –

Manager Kline stated the Municipality's Code for political signs specify that they be allowed in yards during the actual political season. He asked that citizens please take down the signs. Manager Kline stated he is not making any sort of political statement he is just responsible to see that the Code is followed.

3) New Officer –

Manager Kline stated West Milton's Police Department has been understaffed for quite a while. He stated he is honored to announce to Council that a new Police Officer will be sworn in at the January 10, 2017, Council Meeting.

4) Christmas Pride Awards –

Manager Kline stated the 2016 Christmas Pride Award winners go to 207 Stonemont, 43 N. Williams, and 324 N. Jay. He stated signs will be placed in their yards during the Christmas season and they will be invited to attend the January 10, 2017, Council Meeting for a formal Council recognition.

5) Greetings to Special TV Viewers –

Manager Kline stated it has been requested that he send out a special Christmas, Happy New Year, and a big hello to Joyce and Bob Herron. He also wished the Mayor, Council, and all the citizens of West Milton a Merry Christmas from the whole administration.

6) Workshop/Special Meeting –

No Council Workshop Meeting will be held in December 2016.

COMMENTS FROM COUNCIL

There were no comments from Council at this time.

COMMENTS FROM CITIZENS

Melida Bockrath the owner of 215-217 Spring Street in West Milton expressed she did not want to have to pay for trash pickup when a tenant moves out. She expressed her displeasure with having to pay for trash pickup when no trash is being picked up. Jason Tinnerman stated the Municipality is providing the trash pickup service through Waste Management. He stated if the property is going to be empty for a period of three (3) months or longer the service can be suspended. Mrs. Bockrath asked to see a copy of the contract between the Municipality of West Milton and Waste Management. Sarah Copp stated Mrs. Bockrath could notify the Municipality if her property was going to be vacant for longer than three (3) months so it could be taken off her bill. A lengthy discussion took place.

Bill Netzley of 945 S. Main Street stated he does not think the Municipality should allow renters to run up their water bills for long periods of time. He stated if the renters move out and haven't paid their water bills it falls back on the landlords to pay the bills. Jason Tinnerman explained the process of billing for water and stated if the bills are not paid the water is disconnected. A lengthy discussion took place.

Fred Francis of 721 Debron Road said he wanted to say hello to the Councilmembers and wish them a Merry Christmas. He stated if he could be of help to Council just let him know.

Rev. Steve Peters thanked Council for doing a good job.

ADJOURNMENT

Don Dohrman made a motion, seconded by Jason Tinnerman to adjourn the meeting. The meeting adjourned at 9:00 p.m.

Linda L. Cantrell CAP-OM
Clerk of Council

Scott Fogle
Mayor