

# COUNCIL SPECIAL AND WORKSHOP MEETING

*August 23, 2016*

Mayor Francis called the meeting to order.

*Present were:* Mayor Francis; *Councilmembers:* Sarah Copp (*came into the meeting at 7:38 p.m.*), Scott Fogle, Karen Grudich, Don Dohrman, and Jason Tinnerman. *Also present were:* Manager Kline, Ben Herron, and Clerk Cantrell. *Absent:* Miller.

## MOTION TO EXCUSE ABSENT COUNCILMEMBERS

Scott Fogle made a motion, seconded by Don Dohrman to excuse Anthony Miller from the August 23, 2016, Special Council and Workshop Meeting. After a roll call vote, the motion passed unanimously. *Abstain:* None. *Absent:* Copp and Miller.

Councilmember Copp came into the meeting at this time.

## COMMENTS FROM CITIZENS

There were no comments from citizens at this time.

## ORDINANCES AND RESOLUTIONS

### Ordinance CM-16-24

*Ordinance CM-16-24* was read by title only by Manager Kline, AN ORDINANCE TO AMEND THE 2016 APPROPRIATIONS.

Jason Tinnerman made a motion, seconded by Don Dohrman to amend *Ordinance CM-16-24*, Line Item 201 – Special Revenue Street Levy Fund – from thirty-seven thousand two hundred fifty (\$37,250.00) dollars to forty thousand four hundred fifty (\$40,450.00) dollars, increasing the total fund line to two hundred fifty-nine thousand two hundred (\$259,200.00) dollars and the Total Appropriations to four million five hundred fifty-one thousand seven hundred eight dollars and fifty cents (\$4,551,708.50). After a roll call vote, the motion passed unanimously. *Abstain:* None. *Absent:* Miller. *Ordinance CM-16-24 amended.*

Scott Fogle made a motion, seconded by Jason Tinnerman to adopt *Ordinance CM-16-24* as amended. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: Miller. Ordinance CM-16-24 adopted.*

Manager Kline stated the sanitary sewer collapsed on Dorwin Drive at the end of Spring Street. He stated the Municipal crews redid the sanitary sewer in that section. Manager Kline stated due to the repair needing to be completed it is necessary to pave that area. He stated this area was on the list to be paved in 2017; therefore he is requesting to complete the paving now in order to get the street the way it needs to be and to save money (*not spend money to patch and have to tear it up again next year to repave*). Manager Kline stated then the cost for the paving of Dorwin will be taken out of the 2017 Budget.

#### Ordinance CM-16-27

*Ordinance CM-16-27* was read by title only by Manager Kline, ORDINANCE IMPOSING MORATORIUM FOR A PERIOD OF ONE HUNDRED AND EIGHTY DAYS ON THE GRANTING OF ANY PERMIT ALLOWING RETAIL DISPENSARIES, CULTIVATORS, OR PROCESSORS OF MEDICAL MARIJUANA WITHIN THE MUNICIPALITY OF WEST MILTON, OHIO. Don Dohrman made a motion, seconded by Jason Tinnerman to adopt *Ordinance CM-16-27*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: Miller. Ordinance CM-16-27 adopted.*

Manager Kline stated the City of Troy and the City of Tipp City are doing Ordinances imposing a moratorium as well. He stated it delays anyone coming into the Municipality of West Milton and starting a retail dispensary, cultivating, or processing medical Marijuana within the Municipality of West Milton. Manager Kline stated this Ordinance is pretty much word for word what other cities are passing. He stated the Ordinance allows time for the Municipality to study how this needs to work. Manager Kline stated this Ordinance had to be passed before September 8, 2016, and the next regular Council Meeting is not until September 13, 2016. He stated Council should probably have some public hearings on this.

#### Emergency Ordinance CM-16-29

*Emergency Ordinance CM-16-29* was introduced by Council and read by Manager Kline, AN ORDINANCE AMENDING CHAPTER 96.051(B)(1) AND 96.091(I) OF THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF WEST MILTON, OHIO, AND DECLARING AN EMERGENCY. Jason Tinnerman made a motion, seconded by Don

Dohrman to adopt *Emergency Ordinance CM-16-29*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: Miller. Emergency Ordinance CM-16-29 adopted.*

Manager Kline stated he was not notified about the needed changes to the Income Tax Code until after the August 9, 2016, Council Meeting. He stated the day for payment has been changed from the 15<sup>th</sup> of the month to the last day of the month for each quarter and the payment of electronic transfer will be what is time-stamped instead of deposited into the account. Manager Kline stated this legislation is an emergency due to it becomes effective on September 12, 2016, and the next regular Council Meeting is not until September 13, 2016. Mayor Francis explained the process of how the postmark works in relation to payment dates.

#### JIM WILSON RETIREMENT

Manager Kline stated today was Jim Wilson's last physical day to work. He stated Mr. Wilson will be on vacation until August 31, 2016, which is technically his last day of employment with the Municipality of West Milton. Manager Kline stated Mr. Wilson worked for over twenty (20) years for the Municipality. He stated with Mr. Wilson retiring the Municipality is losing a lot of knowledge. Ben Herron stated there will be a Retirement Open House held for Mr. Wilson on Friday, September 23, 2016, at Fayevores Banquet Hall at 2334 S. Miami Street, West Milton, OH, from 6:00 p.m. to 10:00 p.m. Manager Kline stated he would like to do a Resolution of Appreciation for Mr. Wilson. He stated Tim Swartztrauber will be taking Mr. Wilson's place.

#### BUDGET COMMITTEE MEETING

Manager Kline stated there would be a Budget Committee Meeting on Thursday, September 15, 2016, at 6:00 p.m. After discussion among the Councilmembers, it was the consensus of Council that Mayor Francis, Vice Mayor Fogle, and Anthony Miller would continue to serve on the Budget Committee.

#### WMUT MEETING

Manager Kline stated the West Milton Council, the Milton-Union School Board, and the Union Township Trustees would be meeting Thursday, September 29, 2016, at 6:00 p.m. at the Union Township Building.

## GENERAL UPDATES

Scott Fogle stated the Park Board has received proposals from three (3) different groups for playground equipment for the Municipal Park. He stated Manager Kline can apply for a grant to get up to fifty percent (50%) off the cost of the playground equipment from one of the companies submitting a proposal. Mr. Fogle stated the Park Board would have to spend one hundred twelve thousand (\$112,000.00) dollars to get the grant. He stated playground mulch and concrete patch was included in the price. Mr. Fogle stated Mark Pricer, Park Board President, stated the Park Board needed to take their time and be sure of what they were purchasing for the park. Manager Kline stated he has submitted the grant application for the discount off the playground equipment. He stated if the Municipality of West Milton is awarded the grant the playground equipment would need to be purchased by November 2016 for delivery in December 2016. Manager Kline stated the playground equipment would then need to be stored until the Municipal employees could install it in the Municipal Park. He stated he has a meeting with Jackson Design at New Bremen's park on Wednesday, August 24, 2016. Manager Kline stated some of the old current playground equipment will need to be removed due to the fact the equipment does not meet the American Disabilities Act (ADA) requirements.

Manager Kline stated Brian Tomlinson runs the Car Show for the Fall Fling. He stated Mr. Tomlinson wants to mix the food vendors among the cars. Manager Kline stated an artist by the name of Greg Rogers will be coming to the Fall Fling. Scott Fogle stated the movie Zootopia would be shown after the September 17, 2016, Fall Fling at 9:00 p.m. in the Municipal Park.

Don Dohrman stated the meeting with the Senators was a real eye opener. Manager Kline stated Councilmembers Fogle, Miller and Dohrman joined dozens of other elected and appointed officials for a meeting with State Senators Beagle and Lehrner. He stated Ohio Municipal League Executive Director Kent Scarrett led the discussions, which primarily focused on municipal income tax issues. Manager Kline stated there are a few leaders within the State who seem to be opposed to income taxes. He stated not only have they continued to cut local funding but they continue to find ways to simplify the code to make it uniform with a net result of lowering the revenues. A lengthy discussion took place regarding the meeting and how the State goes through the budget process. Manager Kline stated Senator Beagle recognized that West Milton had good representation at the meeting.

Bob Stahlman of DP&L gave each Councilmember a copy of the Summer 2016 DP&L Newsletter for their review.

Manager Kline stated Public Hearings will be held prior to the September 13, 2016, and October 11, 2016, Council Meetings at 7:00 p.m. in Council Chambers to discuss the Gas and Electric Aggregation that has been placed on the November 8, 2016, ballot. Manager Kline stated announcements that these meetings will be taking place will be put in the *Troy Daily News*, put on the water bills, and will be announced on WMPA.

ADJOURNMENT

Scott Fogle made a motion, seconded by Jason Tinnerman to adjourn the Special Council and Workshop Meeting. The meeting adjourned at 8:41 p.m.

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Linda L. Cantrell CAP-OM  
Clerk of Council

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Fred Francis  
Mayor