

COUNCIL MEETING

March 13, 2012

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

The invocation was given by Mayor Coate.

Mayor Coate called the meeting to order.

Present were: Mayor Coate; *Councilmembers:* Fred Francis, Debbie Miller, Jason Tinnerman, 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: March 13, 2012

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

MOTION TO EXCUSE ABSENT COUNCILMEMBERS

Fred Francis made a motion, seconded by Scott Fogle to excuse Susan Willis from the February 28, 2012, Council Workshop Meeting. After a roll call vote, the motion passed with Francis, Miller, Tinnerman, Fogle, Ashley, and Mayor Coate voting *yes*. *Abstain:* Willis. *Absent:* None.

MINUTES

Debbie Miller made a motion, seconded by Susan Willis to adopt the February 14, 2012, Council Meeting Minutes. After a roll call vote, the motion passed unanimously. *Abstain:* None. *Absent:* None. *Minutes adopted.*

Ora Ashley made a motion, seconded by Jason Timmerman to adopt the February 28, 2012, Council Workshop Meeting Minutes. After a roll call vote, the motion passed unanimously. *Abstain:* None. *Absent:* None. *Minutes adopted.*

Jason Tinnerman made a motion, seconded by Fred Francis to adopt the February 28, 2012, Special Council Workshop Meeting Minutes. After a roll

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call vote, the motion passed unanimously. *Abstain: None. Absent: None.*
Minutes adopted

OTHER MINUTES

There were no other minutes at this time.

AMERICAN RED CROSS PROCLAMATION

Mayor Coate read a Proclamation declaring March 2012 as American Red Cross month.

COMMENTS FROM CITIZENS

There were no comments from citizens at this time.

ORDINANCES AND RESOLUTIONS

Ordinance CM-12-03

Ordinance CM-12-03 was read by title by Law Director Sell, AN ORDINANCE AMENDING SECTION 30.03 OF THE CODIFIED ORDINANCES OF THE MUNICIPALITY OF WEST MILTON. Ora Ashley made a motion, seconded by Fred Francis to adopt *Ordinance CM-12-03*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Ordinance CM-12-03 adopted.*

Resolution CM-12-07

Resolution CM-12-07 was introduced by Council and read by Law Director Sell, A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO SOLICIT BIDS FOR SLUDGE REMOVAL. Jason Tinnerman made a motion, seconded by Susan Willis to adopt *Resolution CM-12-07*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Resolution CM-12-07 adopted.*

Manager Kline stated this is a basic housekeeping item. He stated usually it is a three (3) year contract. He stated he wanted to award the contract at the April Council Meeting.

Resolution CM-12-08

Resolution CM-12-08 was introduced by Council and read by Law Director Sell, A RESOLUTION AUTHORIZING THE PURCHASE OF CAPITAL EQUIPMENT. Ora Ashley made a motion, seconded by Fred Francis to

adopt *Resolution CM-12-08*. After a roll call vote, the motion passed unanimously. *Abstain*: None. *Absent*: None. *Resolution CM-12-08 adopted*.

Emergency Ordinance CM-12-09

Emergency Ordinance CM-12-09 was introduced by Council and read by Law Director Sell, AN ORDINANCE AUTHORIZING THE UPDATE AND SUPPLEMENTAL PAGES TO THE MUNICIPALITY OF WEST MILTON CODE OF ORDINANCES AND TO INCLUDE DULY ADOPTED ORDINANCES OF COUNCIL NOT PREVIOUSLY CODIFIED AND DECLARING AN EMERGENCY. Debbie Miller made a motion, seconded by Fred Francis to adopt *Emergency Ordinance CM-12-09*. After a roll call vote, the motion passed unanimously. *Abstain*: None. *Absent*: None. *Emergency Ordinance CM-12-09 adopted*.

Manager Kline stated in January and February when he did the Budget, he was mistaken as to how much it would cost to publish and update the Municipality's Codified Ordinances. Mr. Kline stated Finance Director Grise gave him the information which turned out to be the cost for a recodification instead of an update.

MUNICIPAL MANAGER

1) County Auditor's Request –

Manager Kline stated the County Auditor's office has asked Council for approval to allow for the renewal of farmland to continue to be in what is termed an agricultural district. This land would continue to be taxed at a lower agricultural rate.

Mayor Coate made a motion, seconded by Jason Tinnerman for the renewal of farmland (Parcel #L39-023165) in an agricultural district to continue in the Agricultural District within the Municipality for the next five (5) years. All Councilmembers were in favor. No one was opposed.

Mayor Coate made a motion, seconded by Fred Francis for the renewal of farmland (Parcel #L39-021020) in an agricultural district to continue in the Agricultural District within the Municipality for the next five (5) years. All Councilmembers were in favor. No one was opposed.

- 2) Website Update –
Manager Kline stated he met with Michael Overbay of Overbay Design on Friday, March 2, 2012, to discuss template design and content creation. Mr. Kline stated Mr. Overbay has input most of the data base and would be working on content input next week. Manager Kline stated he would like to have the Website launched by the April Council Meeting.

- 3) Safe Routes to School –
Manager Kline stated he has been working toward submittal to the State of Ohio for their environmental review process. He stated this has included letters to property owners within the area of the proposed project and an actual revision of the plans. Mr. Kline stated the grant award from the State is \$189,300. He stated he met with the Township and School officials to revise the scope of the work. He gave information as to the proposed changes to the original plans.

- 4) Dogs –
Manager Kline stated his office has received a few complaints regarding dogs. He reminded citizens the Municipality has regulations which requires dog owners to keep control of their pets and to clean up after their pets.

- 5) Sewer Increase –
Manager Kline stated he was asked about the recent sewer increase. He stated Ordinance CM-09-04 set rates through the year 2013.

- 6) Workshop Meeting –
A Council Workshop Meeting will be held on Tuesday, March 27, 2012, at 7:30 p.m. in Council Chambers.

- 7) Fall Fling Request –
Susan Willis stated she thinks Council needs to do whatever they need to do to keep the Fall Fling going. Ora Ashley stated he agrees with Susan. Debbie Miller stated she agreed also. She stated she wants to be sensitive to people who are sensitive to alcohol in the park. Fred Francis stated in regards to moving alcohol to the park the Municipality needs to make sure the foot traffic stays around the shops. Jason Tinnerman stated he

did not see a reason why the alcohol could not be moved to the park. He stated it is a great festival. Law Director Sell stated Council could discuss this and in the future do legislation for future years stating alcohol can be in the park only one (1) day a year. Manager Kline stated he talked to the insurance company about having alcohol in the park. He stated the insurance company is okay with it. Mayor Coate stated he did not want to see the Fall Fling go away. He stated he liked Manager Kline's plan to keep alcohol out of the park; but he respects everyone's opinion on this.

Susan Willis made a motion, seconded by Fred Francis to allow the Fall Fling to have alcohol in the park for one day only (September 15, 2012). After a roll call vote, the motion passed with Francis, Miller, Tinnerman, Fogle, Ashley, and Willis voting *yes* and Mayor Coate voting *no*.
Abstain: None. Absent: None.

8) Fee Adjustments -

Manager Kline stated some of the fees the Municipality has in place have not been increased in over a decade. Manager Kline read off the different fees and the suggested increases to each fee. Legislation will be introduced in the future to increase the fees.

Manager Coate stated he would like to see an Ordinance that would allow awards to be made to hometown people who are close on the bids instead of to outside companies.

COMMENTS FROM CITIZENS

PJ Wertz thanked Council for everything. She stated to Manager Kline that she knew he did not want to do the alcohol in the park this year for the fall fling and that she was sorry she went behind his back to get permission to do this.

Don Martin from West Milton stated he would like to see Council do more on some of the buildings in town – such as the Bulldog building and the Martindale building.

COMMENTS FROM COUNCIL

There were no comments from Council at this time.

ADJOURNMENT

Susan Willis made a motion, seconded by Fred Francis to adjourn the meeting. The meeting adjourned at 8:48 p.m.

Linda L. Cantrell CAP-OM
Clerk of Council

Michael Coate II
Mayor

COUNCIL WORKSHOP MEETING

March 27, 2012

Mayor Coate called the meeting to order.

Present were: Mayor Coate; *Councilmembers:* Ora Ashley, Deborah Miller, Fred Francis, Jason Tinnerman, Scott Fogle, and Susan Willis. *Also present were:* Manager Kline, Ben Herron, Tim Swartztrauber, Chief Kimmel, 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: March 27, 2012

Signed: Linda L. Cantrell CPS/CAP
Clerk of Council

UTILITIES

Tim Swartztrauber gave each Councilmember a copy of a Proposal for Plan to Map and Access Existing Sanitary Sewer Assets and Develop a Geographic Information System (GIS) from Makeever & Associates, Inc. for their review.

Inflow and Infiltration

Tim Swartztrauber stated inflow and infiltration is ground and rain water. Tim stated the Municipality needs a good sanitary base map. He would like to GPS the whole system. Mr. Swartztrauber stated he spoke with Curtis Trust regarding doing the GPS. He stated Mr. Trust does this with students he is training. Mr. Swartztrauber stated Mr. Trust can do the GPS for twelve thousand dollars (\$12,000) or less. Tim asked for a verbal okay from Council to have Mr. Trust write up a proposal to do the GPS. Manager Kline stated the GPS would help with the sanitary sewer, water lines, and the storm sewer lines also. Mr. Swartztrauber stated the worst areas in town need to be located and then he would like to install portable flow meters in twenty-four (24) main holes to track inflow and infiltration peaks in the sewer flow. He would also like to purchase a camera that is a trailer mounted unit that would let them see where things are lodged in the lines. The cost of the camera would be approximately forty thousand (\$40,000) dollars. Mr. Swartztrauber gave each Councilmember a sheet containing information about Flow

Monitoring, Physical Sewer Analysis, and Sewer Lateral Analysis for their review. Manager Kline stated the Municipality purchases four hundred thousand (400,000) gallons of water a day but treats around nine hundred thousand (900,000) gallons a day. He stated the Municipality is getting ground water, rain water, etc. Mr. Kline stated the EPA requires the Municipality to fix this. He stated the Municipality needs to identify what is underground to see what needs to be fixed. The Municipality has fifty-three (53) months to comply. Andy Shuman of Choice One stated sometimes you have to put in storm sewer lines along with sanitary sewer lines because of things you find. Mr. Swartztrauber would like to conduct in-home inspections and dye testing, for inflow sources, i.e. sump pump drains or footer drains tied into the sanitary laterals.

Mr. Swartztrauber asked if they could put legislation for the GPS on the agenda for the April Council Meeting. The Resolution would be not to exceed twelve thousand (\$12,000). This amount is to be divided between three (3) departments. The consensus of Council is to put the legislation on the agenda for the April Council Meeting.

Effluent Channel

Tim Swartztrauber stated EPA wants the Municipality to report what is being put in the creek. Mr. Swartztrauber explained how this works. He stated the flow channel needs to be reworked.

Water Meters

Mr. Swartztrauber stated he thinks the water meters should be changed out. He stated the meters are between eighteen (18) and twenty-three (23) years old. Mr. Swartztrauber stated the life expectancy for a meter is fifteen (15) years for a home. He wants to downsize all the large meters to smaller meters. Manager Kline stated it would cost approximately a half a million dollars to do this project; but that it would pay for itself in three (3) to four (4) years. He wants to submit an application for a zero percent (0%) interest loan.

POLICE DIVISION

Councilmember Willis stated the Police Department needs more room and that it is not a safe environment. She stated something needs to be done. Manager Kline stated he interviewed an architectural firm that suggests the Police Department have at least seven thousand five hundred (7,500) sq. ft. Mr. Kline stated the Police Department should have a public space; a more

semi-secure area for offices, locker rooms, etc.; and a more secure area for holding prisoners that need to be transferred to jail. He stated there are three (3) options: 1) can build anywhere; 2) take the building to the bare wall and redo; 3) or design and build. Manager Kline stated he has always wanted to do a design and build. He stated he would like to have the Police Department centrally located. Mr. Kline stated the Police Department cannot be expanded out; but could be build up; or go outside the employee entrance to the Municipal Building and go out a car length and go in a rectangle. He stated the Police Department does not have an area for training and he would like to have an area for training. Mr. Kline stated he would like to do a Request for Proposal (RFP) to see what this would cost. Councilmember Tinnerman stated after doing the Council Orientation it is clear that something needs to be done. He stated he likes this idea; but we are talking about a lot of money for wants and needs. Councilmember Francis asked what Mr. Kline thought about the building up town. Mr. Kline stated he would like to interview three (3) commercial real estate companies regarding selling the property. He stated he does not think the Municipality needs to own that building. Mr. Kline would like to do a Phase 1 study on the building. The cost would be between one and two thousand (\$1,000 and \$2,000) dollars.

Mr. Kline would like to see the old opera house fixed up. He stated if the opera house would be restored, the building could be torn down and that area used for a parking lot for the opera house patrons.

Mr. Kline gave each Councilmember a hand out entitled "Miami County Law Enforcement Pay Comparison" for their review. Councilmember Willis asked if this information should be executive session material. Mr. Kline stated it could be; but that it is all public material.

VISION

Ora Ashley stated he would like to see a walking path in the community. He stated he would like to see it by the river. Manager Kline stated he would like to expand the plan to allow individuals to ride bikes or walk to the county park in Englewood. He would like to go North or to Ludlow Falls or toward Brukner Park.

Manager Kline stated Mayor Coate had a good idea. Mayor Coate suggested having a splash pad.

Scott Fogle stated when the schools are torn down that area would be a good place for basketball courts, a splash park, or a walking path.

Manager Kline stated maybe have a skateboard park.

Debbie Miller suggested talking to the kids and ask them what they would like.

Jason Tinnerman thinks the park should be utilized more. Manager Kline stated the Municipality has a good geographic area at the park. He thinks there should be movies shown in the park, concerts held in the park, and family events held in the park.

Susan Willis stated she would like to see the community cleaned up. She stated she believes the trash dumpsters look bad and need three (3) sides around them. Mr. Kline will research this and get sample legislation.

PROPERTY NUISANCE PROCEDURE (Draft)

Manager Kline stated he is working on the proper way to do nuisance procedures. He gave each Councilmember a draft copy of proposed legislation regarding Weeds and Litter on Private Property for their review. He stated the purpose of the legislation was to make the Ordinance plain and simple to follow regarding weeds and grass. Manager Kline would like to present legislation for this at the April 2012 Council Meeting.

ADJOURNMENT

Mayor Coate made a motion, seconded by Fred Francis to adjourn the meeting. The meeting adjourned at 9:41 p.m.

Linda L. Cantrell CAP-OM
Clerk of Council

Michael Coate II
Mayor