

# COUNCIL MEETING

*December 10, 2013*

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

The invocation was given by Rev. Steve Peters from Gracehaven Church.

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, Assistant Law Director Brosh, 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:* December 10, 2013

*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 Mayor Coate from the November 26, 2013, Council Workshop Meeting. After a roll call vote, the motion passed with Francis, Miller, Tinnerman, Fogle, Ashley, and Willis voting *yes*. *Abstain:* Mayor Coate. *Absent:* None.

## MINUTES

Susan Willis made a motion, seconded Ora Ashley to adopt the November 12, 2013, Council Meeting Minutes. After a roll call vote, the motion passed unanimously. *Abstain:* None. *Absent:* None. *Minutes adopted.*

Jason Tinnerman made a motion, seconded by Scott Fogle to adopt the November 26, 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 Council and the Municipality received a Christmas card from past Mayor Moore.

## COMMENTS FROM CITIZENS

Bill Netzley of Main Street, West Milton, OH, stated he agreed with 90% of the proposed water legislation for tonight. Mr. Netzley stated that when a tenant moves out of a rental and does not pay he does not believe he should have to pay the bill just because he is the home owner. He stated he feels the Municipality is extending credit to the tenant and that the Municipality should be responsible for the outstanding balance. Manager Kline stated the current legislation is trying to make it better for the Municipality and the landlord. Fred Francis explained that once the new meters are in place if a tenant's water is turned off, the tenant will have to pay the full amount owed to get the water turned back on. Where in the past the tenant could make a partial payment to get the water back on. Mr. Francis stated this should keep people from owing so much when they move out. Debbie Miller suggested Mr. Netzley pay the water bills for properties he owns and then have the tenants reimburse him for the water usage. Manager Kline stated the Municipality keeps a list of individuals that move out of town and do not pay their water bills. He stated that if that individual moves back into town and requests the water be turned on, they have to pay the back bill before it will be turned on. Then the landlord is reimbursed for having paid the water bill due when their tenant moved out.

## ORDINANCES AND RESOLUTIONS

### Ordinance CM-13-26

*Ordinance CM-13-26* was read by title only by Assistant Law Director Brosh, AN ORDINANCE AUTHORIZING THE MUNICIPALITY OF WEST MILTON, OHIO, TO CREATE AN ENTERPRISE DEBT SERVICE FUND AND TO ESTABLISH THE NECESSARY FEES TO PLACE INTO THE FUND TO SERVICE THE DEBT CREATED BY THE WATER METER REPLACEMENT PROJECT. Ora Ashley made a motion, seconded Scott Fogle to adopt *Ordinance CM-13-26*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Ordinance CM-13-26 adopted.*

Ordinance CM-13-27

*Ordinance CM-13-27* was read by title only by Assistant Law Director Brosh, AN ORDINANCE AMENDING CHAPTERS 51 AND 52 OF THE WEST MILTON CODE OF ORDINANCES – SEWER AND WATER REGULATIONS. Debbie Miller made a motion, seconded Susan Willis to adopt *Ordinance CM-13-27*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Ordinance CM-13-27 adopted.*

Ordinance CM-13-28

Fred Francis made a motion, seconded Ora Ashley to table *Ordinance CM-13-28*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Ordinance CM-13-28 tabled.*

AN ORDINANCE TO APPROPRIATE FUNDS NECESSARY FOR THE VARIOUS DEPARTMENTS AND OFFICES OF THE MUNICIPALITY OF WEST MILTON, OHIO, FOR THE YEAR 2014.

Resolution CM-13-30

*Resolution CM-13-30* was introduced by Council and read by Assistant Law Director Brosh, A RESOLUTION TO ALLOW THE MUNICIPALITY OF WEST MILTON, OHIO, TO ACCEPT THE MIAMI COUNTY PUBLIC SAFETY INFORMATION SHARING RECORDS SYSTEM ADDENDUM. Susan Willis made a motion, seconded by Fred Francis to adopt *Resolution CM-13-30*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Resolution CM-13-30 adopted.*

Manager Kline stated the Miami County Park District will be hiring Park Rangers. He stated this will allow the Park Rangers access to the Public Safety Information Sharing Records System to enter reports and share information, as well as, view reports and information entered by the participating Entities.

Emergency Ordinance CM-13-31

*Emergency Ordinance CM-13-31* was introduced by Council and read by Assistant Law Director Brosh, AN ORDINANCE MAKING THE TEMPORARY APPROPRIATION OF FUNDS NECESSARY FOR VARIOUS DEPARTMENTS AND OPERATIONS OF THE MUNICIPALITY OF WEST MILTON, OHIO, FOR THE FIRST QUARTER OF THE YEAR 2014 AND DECLARING AN EMERGENCY. Ora Ashley made a motion, seconded by Jason Tinnerman to adopt *Emergency Ordinance CM-13-31*. After a roll call vote, the

motion passed unanimously. *Abstain: None. Absent: None. Emergency Ordinance CM-13-31 adopted.*

Manager Kline stated Council does not like to do Emergency Ordinances. But in this case, the 2014 Budget has not been completed and that is why the Emergency Ordinance is necessary.

Ordinance CM-13-32

*Ordinance CM-13-32* was introduced by Council and read by Assistant Law Director Brosh, AN ORDINANCE TO AMEND CHAPTER 52 – WATER RULES AND REGULATIONS AND TO SPECIFICALLY AMEND THE DEFINITION ON SECTION 52.003 AND SECTION 52.116 (A) OF THE WEST MILTON MUNICIPAL CODE TITLED WATER RATES AND MUNICIPALITY. The public hearing will be held at 7:30 p.m. on January 7, 2014, in Council Chambers in the Municipal Building.

Resolution CM-13-33

*Resolution CM-13-33* was introduced by Council and read by Assistant Law Director Brosh, A RESOLUTION TO PERMIT THE MANAGER FOR THE MUNICIPALITY OF WEST MILTON, OHIO, TO ENTER INTO A STATE ROUTE MAINTENANCE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION. Susan Willis made a motion, seconded by Fred Francis to adopt *Resolution CM-13-33*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Resolution CM-13-33 adopted.*

Manager Kline stated he just received this last week. He stated they are trying to streamline their projects. Mr. Kline stated this will keep them from having to come in and get special legislation to do projects in the future.

Resolution CM-13-34

*Resolution CM-13-34* was introduced by Council and read by Assistant Law Director Brosh, RESOLUTION TO AUTHORIZE A PAY INCREASE FOR FULL-TIME EMPLOYEES FOR THE YEAR 2014. Susan Willis made a motion, seconded by Scott Fogle to adopt *Resolution CM-13-34*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Resolution CM-13-34 adopted.*

1) Board Appointments –

Mayor Coate made a motion, seconded by Fred Francis to appoint John Cloud to the Park Board with a term starting on January 1, 2014, and expiring on December 31, 2016. After a roll call vote, the motion passed unanimously. *Abstain*: None. *Absent*: None.

Mayor Coate made a motion, seconded by Debbie Miller to appoint Erin Coate to the Park Board with a term starting on January 1 2014, and expiring on December 31, 2016. After a roll call vote, the motion passed unanimously. *Abstain*: None. *Absent*: None.

Jason Tinnerman made a motion, seconded by Susan Willis to appoint Tim Crowe to the Board of Adjustment with a term starting on January 1, 2014, and expiring on December 31, 2016. After a roll call vote, the motion passed unanimously. *Abstain*: None. *Absent*: None.

2) January Meeting Reminder -

Manager Kline reminded Council that the Charter states that the term of a Councilmember begins on the first Tuesday after the 1<sup>st</sup> of January. He stated the first meeting for January will be on January 7, 2014. At that time, we will be conducting an organizational meeting along with the swearing in of the Oaths of Office of the Mayor, Councilmember Willis, and Councilmember-elect Anthony Miller.

3) Workshop Meeting –

Manager Kline reminded Council there would be a Special Workshop Meeting immediately after this meeting.

4) Updates –

Manager Kline stated Council has been doing an excellent job of communicating to the Municipality's water/sewer customers about all the changes that have been and will be made. He stated that he plans to use the article Joyell Nevins of the *Weekly Record Herald Newspaper* wrote on December 8, 2013, regarding the new water meters, shut-off procedure, and service charge changes. He stated he has permission to use the article and feels it is well written and would be helpful to the citizens in understanding the up and coming changes. It was the consensus of Council to reprint the article and insert it in the January water/sewer bills.

Manager Kline thanked everyone and wished them a Merry Christmas and a Happy New Year.

### COMMENTS FROM CITIZENS

There were no comments from citizens at this time.

### COMMENTS FROM COUNCIL

Scott Fogle thanked Debbie Miller for serving as a Councilmember. He stated he would not be a Councilmember if it was not for Debbie Miller. Mr. Fogle stated Ms. Miller will be missed.

Jason Tinnerman thanked Debbie Miller for her service.

Susan Willis stated she knew she and Debbie Miller have not always gotten along, but that he enjoyed working with Ms. Miller and that she has learned from her. Ms. Willis stated she is looking forward to working with Ms. Miller's son (*Councilmember-elect Anthony Miller*).

Mayor Coate thanked Jason Tinnerman for leading the tree lighting ceremony. He thanked Manager Kline and the Municipal staff for their work during 2013. Mayor Coate thanked Debbie Miller for her service. He thanked the citizens for making West Milton their home. Mayor Coate wished everyone a Merry Christmas and a Happy New Year.

### ADJOURNMENT

Fred Francis made a motion, seconded by Jason Tinnerman to adjourn the meeting. The meeting adjourned at 8:25 p.m.

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Linda L. Cantrell CAP-OM  
Clerk of Council

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Michael Coate II  
Mayor