

COUNCIL MEETING

September 9, 2014

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

The invocation was given by Rev. Eric Bowman of the Transfiguration Catholic Church.

Mayor Tinnerman called the meeting to order.

Present were: Mayor Tinnerman; *Councilmembers:* Sarah Copp, Fred Francis, Susan Willis, Scott Fogle (*came into the meeting at 7:33 p.m.*), Don Dohrman, and Anthony Miller. *Also present were:* Manager Kline, 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: September 9, 2014 *Signed:* Linda L. Cantrell CAP-OM
Clerk of Council

MOTION TO EXCUSE ABSENT COUNCILMEMBERS

There were no absent Councilmembers at this time.

Councilmember Fogle came into the meeting at this time.

MINUTES

Fred Francis made a motion, seconded by Susan Willis to adopt the August 12, 2014, Council Meeting Minutes. After a roll call vote, the motion passed unanimously. *Abstain:* None. *Absent:* None. *Minutes adopted.*

Anthony Miller made a motion, seconded by Fred Francis to adopt the August 26, 2014, 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.

COMMUNITY PRIDE AWARD WINNERS

Mayor Tinnerman presented certificates to the following Community Pride Winners:

Robin Woolery (*could not attend*)
Tom and Carol Gauvey
Tim and Mallory Dues (*could not attend*)

Mayor Tinnerman thanked the Community Pride Award recipients.

CORRESPONDENCE TO COUNCIL

Manager Kline read a card from James and Jean Napier regarding receiving the Community Pride Award in August 2014. He also read a card from Jolene Sell thanking the Municipality for the flowers sent for Chuck Sell's passing.

COMMENTS FROM CITIZENS

There were no comments from citizens at this time.

ORDINANCES AND RESOLUTIONS

Mayor Tinnerman explained that *Ordinance C-14-15* would be tabled due to Council wanting to be sure the Ordinance was written to correct the problems the Municipality is seeing with travel trailers and yet not penalizing individuals that are taking care of there RVs and their property.

Ordinance CM-14-15

Scott Fogle made a motion, seconded by Fred Francis to table *Ordinance CM-14-15*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Ordinance CM-14-15 tabled.*

Ordinance CM-14-15, AN ORDINANCE AMENDING SECTION 150.290 TRAILERS.

Emergency Ordinance CM-14-16

Emergency Ordinance CM-14-16 was introduced by Council and read by Law Director Brosh, AN ORDINANCE TO AMEND THE 2014

APPROPRIATIONS. Fred Francis made a motion, seconded by Susan Willis to adopt *Emergency Ordinance CM-14-16*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Emergency Ordinance CM-14-16 adopted.*

MUNICIPAL MANAGER

- 1) Safe Routes to Schools –
Manager Kline stated the contractor completed the walkway that runs between the ball fields. He stated grass has started to grow in the areas that were torn up during the construction. Manager Kline stated it appears the survey work for the remainder of the project has been completed also.
- 2) Stillwater Dam Removal –
Manager Kline stated the language for the Memorandum of Agreement between the Ohio Historical Office, the Army Corps of Engineers, and the Municipality has been approved by all parties. He stated the application for removal of the dam is being circulated among those within the Army Corps. Manager Kline stated the permit to demolish the Stillwater Dam should be issued by October 2014 assuming no other issues arise. He stated Tom Beck is doing a video of the dam for historical purposes.
- 3) Shooting Hoops -
Manager Kline stated the tennis courts and basketball courts have been repaired, resealed, and repainted; and the striping should be completed on Wednesday, September 10, 2014. He stated he hoped the courts would be usable by the weekend.
- 4) Drug Take Back –
Manager Kline stated the Miami County Sheriff's Department would be conducting a prescription pill drug take back on Saturday, September 27, 2014, from 10:00 a.m. to 2:00 p.m. at the Miami County Sanitary Engineer's located on 25A in Troy. He stated the take back is for unwanted pills. Manager Kline stated it is for pills only and that the pills are to be put in a Ziploc bag. He stated the take back is for Miami County residents only.
- 5) Junk Vehicle Ordinance –
Manager Kline stated Council would need to review and update the Junk Vehicle Ordinance once the Recreational Vehicle Ordinance is finalized.

6) Joint Meeting Reminder –

Manager Kline stated the next meeting with the Milton-Union School Board and Union Township would be held on Thursday, September 18, 2014, at 6:00 p.m. and would be hosted by the School. He stated members from the Councils of Ludlow Falls, Laura, and Potsdam have been invited to attend the meeting.

7) Budget Commission Approval –

Manager Kline stated every year the Miami County Budget Commission certifies the tax rates to be levied to each community. He stated once these rates are certified by the Budget Commission it is required that Council accept these rates for that year. Manager Kline stated in 2014 there are two (2) rates that would be levied in West Milton – the General Mill Levy and the Street Levy.

Fred Francis made a motion, seconded by Susan Willis that the rates of tax as determined by the Miami County Budget Commission for the year 2014 be accepted. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None.*

8) Board of Adjustment Appointment -

Fred Francis made a motion, seconded by Anthony Miller to appoint Bob Gingburg to the Board of Adjustment. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None.*

9) Workshop Meeting –

A Council Workshop Meeting will be held on Tuesday, September 23, 2014, at 7:30 p.m. in Council Chambers.

COMMENTS FROM CITIZENS

Ray Moore of 240 Cedar Drive stated he would like to read the Resolutions and Ordinances regarding RVs. He stated from what he has heard about the proposed legislation this is a land mine. Mr. Moore stated since Council has tabled this Ordinance there may be a chance to fix this.

Stan Magel of S. Miami Street stated he does not want his recreational vehicle sitting down at Hoovers. He stated he wants his vehicle where he can watch it. Mr. Magel stated he has been told he cannot park his RV on his property because it is thirty-five (35') feet long. He stated he built a building just for the purpose of storing his RV and he wants to keep it in his building.

Frank Lockhart of 75 Donna Jane Court stated he has lived at this address since 1979. He stated he has a thirty (30') foot fifth wheel. Mr. Lockhart

stated he spend four thousand five hundred (\$4,500) dollars to put in a driveway pad on which to park his RV. He stated he feels he meets the current Ordinance requirements. Mr. Lockhart asked that the revised Ordinance grandfather people in that meet the current requirements and are taking care of their RVs and property. He stated the RV is on his property for security.

Joanne Fine of 119 Bruce Drive stated she and her husband put in a pad a number of years ago per the current Ordinance. She stated their property is "L" shaped and they do not have a back of the house to store their RV. She stated they do store their RV six (6) months out of the year off their property. She stated they have lived there for twenty-eight (28) years. Mrs. Fine stated some of the houses near her are horrible. She asked to see the proposed legislation. Mayor Tinnerman asked Manager Kline to give Mrs. Fine a copy of the proposed legislation.

Mayor Tinnerman explained how the proposed legislation came about. He stated when the Municipality tried to fix the problem it was discovered the current Ordinance does not have enough teeth in it to solve the problem. Mayor Tinnerman stated Council is trying to come up with a way to fix the problem without hurting RV owners that are taking care of their vehicles and their property.

Manager Kline stated per Council's request he contact the local Bureau of Motor Vehicles (BMV) to see if he could obtain a list of everyone owning RVs in West Milton. He stated the BMV is not able to provide such a list. Manager Kline stated it is not practical to try and go door to door to see who all owns RVs.

Councilmembers Scott Fogle and Don Dohrman stated they drove around West Milton for over two (2) hours trying to see who all owns a RV. They stated they appreciate the efforts of everyone who has taken care of their vehicles and property.

Councilmember Fred Francis stated he has also been checking to see who all owns RVs in West Milton.

Mayor Tinnerman stated he has looked around West Milton also. He asked the citizens of West Milton to try and understand the intent of the proposed legislation. Mayor Tinnerman stated there is a target in a sense that the Municipality is trying to deal with.

Dennis Shade of Beechnut Drive in West Milton asked the citizens to drive by his property and see the camper that is next to him. He asked the citizens to come up with a solution and to present it to Council. Mr. Shade stated he taught school for thirty-six (36) years. He asked for a copy of the Ordinance. Mr. Shade stated he appreciated Council working on this.

Lilly Moore of 240 Cedar Drive stated some people are living in those trailers.

Councilmember Don Dohrman stated there is language in the Ordinance that does not allow individuals to live in their RVs.

Mayor Tinnerman thanked everyone for coming and giving their input. He stated his goal is about the overall cleanliness of properties in West Milton. Mayor Tinnerman stated this is a small part of the big picture.

Councilmember Fred Francis stated Council tabled the proposed Ordinance that was presented to them by the Planning Board and members of Council have driven around town and looked at properties with RVs. He stated Council is trying not to affect everyone because of a few.

Councilmember Sarah Copp stated she wants to have a possible exemption for people who are doing the right thing.

Councilmember Scott Fogle stated Council is doing its due diligence on this. He stated Council has been reviewing Ordinances regarding RVs from numerous surrounding communities. Mr. Fogle stated Mr. Shade had a good comment about citizens coming to the September 23, 2014, Council Workshop Meeting with a proposed solution.

COMMENTS FROM COUNCIL

Councilmember Susan Willis stated the Fall Fling will be held on September 20, 2014. She stated there will be a Fishing Derby, a Car Show, a Corn-Hole Tournament, Lions Club Bingo, and live music. Ms. Willis invited everyone to attend and enjoy the fun.

EXECUTIVE SESSION

Fred Francis made a motion, seconded by Scott Fogle to adjourn into two (2) Executive Sessions – one as provided by Section 4.12(B)(5)(a) of the West Milton Charter to consider the appointment, employment, promotion, and compensation of a public employee and the second as provided by Section

4.12(B)(5)(b) of the West Milton Charter to consider the purchase of property for a public purpose. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None.*

Council adjourned into Executive Sessions at 8:17 p.m.

Fred Francis made a motion, seconded by Scott Fogle to reconvene out of the Executive Sessions. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None.*

Council came back into session at 9:14 p.m.

ADJOURNMENT

Fred Francis made a motion, seconded by Susan Willis to adjourn the meeting. The meeting adjourned at 9:15 p.m.

Linda L. Cantrell CAP-OM
Clerk of Council

Jason Tinnerman
Mayor