

COUNCIL WORKSHOP and SPECIAL MEETING

September 22, 2015

Mayor Francis called the meeting to order.

Present were: Mayor Francis; *Councilmembers:* Sarah Copp, Scott Fogle, Jason Tinnerman, Anthony Miller, Don Dohrman (*came into the meeting at 7:33 p.m.*) and Karen Grudich. *Also present were:* Manager Kline, Law Director Brosh, Ben Herron, Jill Grise, and Clerk Cantrell. *Absent:* None.

DP&L Update -

Bob Stallman, Director of Community Relations for DPL Energy, gave each Councilmember a copy of what will be sent to all the DP&L customers regarding the way the new DP&L bills have been redesigned. He stated DP&L would be using the new design for billing starting October 15, 2015. Mr. Stallman stated if anyone wanted to learn more about the new DP&L bills they could visit dpandl.com/mybill and watch a video.

Don Dohrman came into the meeting at 7:33 p.m.

Mr. Stallman stated DP&L would be starting the “Right Tree Right Place” Program. He stated DP&L would be giving trees to various groups. Mr. Stallman stated the deadline to file for the DP&L money for the “Right Tree Right Place” Program is Friday, October 9, 2015. He stated DP&L would be announcing the recipients of the DP&L money for the “Right Tree Right Place Program in mid-October. Mr. Stallman stated on October 17, 2015, residents can get a free tree if they go to North Dayton Garden Center. He also gave information as to other garden nurseries that would be a part of the tree give away.

Mr. Stallman stated a city that is part of the Tree City USA Program that is sponsored by the Arbor Day Foundation may apply for grant money to plant trees in parks, etc. The Tree City USA is a tree planting and tree care program for cities and towns in the United States. To qualify for Tree City USA, a town or city must meet four (4) standards established by the National Arbor Day Foundation (NADF) and the National Association of State Foresters. The four (4) standards: 1) establish a Tree Board or Department; 2) pass a Tree Care Ordinance; 3) establish a Community Forestry Program; and 4) organize an Arbor Day Observance and Proclamation. Mr. Stallman stated the applications for the Tree City USA grant money are due January 31, 2016. Benefits of the Tree City USA Program include the following: 1)

reduce costs for energy, storm water management, and erosion control; 2) cut energy consumption by up to 25%; 3) boost property values across your community; 4) build stronger ties to your neighborhood and community; 5) honor your community; 6) benefit from a framework for action provided by the four (4) core standards; 7) educate people living in your city about the value of trees and the importance of sustainable tree management; 8) improve community pride; and 9) gain publicity with recognition materials.

GARBAGE CONTRACT

Manager Kline stated two companies bid on the garbage contract for the Municipality of West Milton. The two bidders were Rumpke and Waste Management. Tom from Waste Management stated they have been servicing the residents of West Milton for trash pickup for a long time. He stated they are running real clean and quieter vehicles than they use to run. Tom stated they like the green energy movement; and would like to continue serving the residents of West Milton for their trash removal needs. He stated their new vehicles uses compressed natural gas which usually costs less than diesel fuel. A lengthy discussion took place regarding the rates for trash pickup for West Milton residents compared to surrounding cities and towns, whether fuel costs would affect rates during the contract, and the different sizes of containers that are used by Waste Management and Rumpke for regular trash and recycle containers. Mayor Francis asked each Councilmember which company they would like to go with, what term, and which recycling program:

Anthony Miller – Rumpke, Four (4) Years, Rumpke’s Alternative Recycling

Sarah Copp – Rumpke, Three (3) Years, Rumpke’s Alternative Recycling

Don Dohrman - Rumpke, Three (3) Years, Rumpke’s Alternative Recycling

Scott Fogle - Rumpke, Three (3) Years, Rumpke’s Alternative Recycling

Karen Grudich - Rumpke, Three (3) Years, Either Recycling

Jason Tinnerman - Rumpke, Three (3) Years, Rumpke’s Alternative Recycling

Mayor Francis – Rumpke – Four (4) Years

Scott Fogle asked Brent from Rumpke if after six (6) months the Municipality sees the need to have the recycling picked up once a week rather than every two (2) weeks could that be changed. Brent stated Rumpke usually likes to have a track record for one (1) year before they make changes. He stated individuals needing more recycling bins can get two (2) to start with at no charge. Manager Kline stated he would draft a letter to all

residents to be included with the November utility bill explaining what needs to be done for the change over from Waste Management to Rumpke for trash pickup. Jason Tinnerman requested it be written in the legislation that if a resident does not respond to the Municipality regarding their trash pickup needs they would have to go with a standard rate.

INCOME TAX WORDING ADJUSTMENTS

Manager Kline stated due to the changes required by House Bill (HB) 5, which was passed in December of 2014 with provisions to take effect January 1, 2016, a lot of changes need to be made to West Milton's Tax Ordinance. Law Director Brosh gave each Councilmember a copy of the Municipal Income Tax Ordinance Options for their review. Ms. Brosh went over each section that would require changes and asked how Council would like to proceed. The following options were chosen (*a copy of this document will be attached to the minutes*):

- 1) Definition of Exempt Income Relating to S Corporation – Option 1
- 2) Definition of Exempt Income for Individuals Under 18 – Option 2
- 3) Definition of Income – Option 3
- 4) Definition of Municipality – Option 1
- 5) Definition of Qualifying Wages – Option 2
- 6) Definition of Qualifying Wages Deduction – Option 2
- 7) Definition of Qualifying Wages Additions – Option 1
- 8) Collection at Source: Withholding From Qualifying Wages (*The Municipality may decide whether or not to require semi-monthly withholding from employers who remit taxes withheld*) – Leave This Section In
- 9) Collection at Source: Withholding From Qualifying Wages (*The Municipality may decide whether or not it will require an employer to remit withholding payments by Electronic Funds Transfer*) – Take This Section Out
- 10) Collection at Source: Occasional Entrant – Leave This Section In
- 11) Collection at Source: Casino and VLT – Leave This Section In
- 12) Return and Payment of Tax – Use Mandatory Filing – Also all resident individual taxpayers **16** years of age and older, shall file an annual municipal tax return with the Municipality, regardless of income or liability.
- 13) Penalty, Interest, Fees and Charges – Give the authority to the Tax Administrator
- 14) Penalty, Interest, Fees, and Charges – Option 2
- 15) Local Board of Tax Review – Option 2
- 16) Local Board of Tax Review – Leave in No. 8 – Take out No. 9

- 17) Adoption of Rules – Option 1
- 18) Municipal Specific Sections: This is okay as is.
- 19) Violations: Penalty – Make all three areas a misdemeanor of the third degree. Also leave in that after the first year of retirement an individual has to file a tax return; but after that the individual does not have to file a tax return unless they have W2 wages.

RE-APPROPRIATION ORDINANCE

Finance Director Jill Grise gave each Councilmember a report showing amendments that needs to be done to the 2015 Budget for their review. Discussion took place regarding changes that would need to be done to the following funds: Water, Sewer, General, St. Levy, Water Capital, Sewer Capital, Park, Street, and OPWC. The Original Appropriation amount was \$3,633,228.66. The Amended Appropriation amount will be \$4,058,220.63. Manager Kline stated he would have an Ordinance for the October 13, 2015, Council Meeting.

Manager Kline stated the Budget Committee would be meeting Monday, September 28, 2015, to go over the entire Budget. He stated they would discuss information from this meeting at the October, 27, 2015, Council Workshop Meeting.

Manager Kline stated Ford is holding their price on 2016 vehicles that the Municipality uses for Police cruisers. He stated the price is only one hundred (\$100.00) dollars more than what the Municipality paid for the 2015 cruiser. Manager Kline stated the 2016 vehicle would have to be ordered from Lebanon Ford now in order to get in line for that price; but the vehicle does not have to be paid for until January 2016. It was the consensus of Council to have Manager Kline order the 2016 vehicle for the Police Department now with the understanding it does not have to be paid for until January of 2016. Manager Kline stated he would have a Resolution for the October 13, 2015, Council Meeting. The cost of the 2016 SUV police package is twenty-five thousand two hundred nineteen (\$25,219) dollars.

½% INCOME TAX RENEWAL

Manager Kline stated the ½% Police and Fire Income Tax expires at the end of 2016. He stated the Municipality would have to go back to the voters in 2016. Manager Kline stated in 2016 there would be a March Primary. He stated if Council wants to place the ½% Police and Fire Income Tax renewal on the March Primary ballot legislation has to be passed by the end of 2015. Manager Kline asked the Councilmembers if they wanted to make the ½%

Police and Fire Income Tax a permanent tax or make it a five (5) year renewal like it has been in the past. It was the consensus of Council to stay with a five (5) year renewal and put the ½% Police and Fire Income Tax renewal levy on the March Primary ballot.

FALL FLING UPDATE

Manager Kline stated he thought the Fall Fling was a success. He stated he spoke with the vendors and they were all pleased about the way the Fall Fling went. Manager Kline stated there were two hundred and fifty (250) plus cars for the car show. He estimated there were over one thousand (1,000) individuals that attended the Fall Fling. Scott Fogle stated there were a least sixty (60) individuals that came to the movie that was shown after the Fall Fling closed. Mr. Fogle stated ninety (\$90.00) dollars was collected from chuck-a-luck. He stated the ninety (\$90.00) dollars was given to Manager Kline to present to Rotary so they can donate the funds raised to the Fourth of July organization (*Jack Scudmore*). Don Dohrman suggested the Ohio Buckeyes game be shown somehow at the 2016 Fall Fling.

OTHER

Mayor Francis stated he spoke with some business owners in town about holding the Council Workshops at their places of business in West Milton. He stated the business owners received the idea really well. It was the consensus of Council to hold Council Workshop Meetings at a different business each month. Mayor Francis stated a schedule would have to be established and posted as to where the Council Workshop Meetings would be held each month. He stated hopefully more citizens would attend the meetings.

EXECUTIVE SESSION

Jason Tinnerman made a motion, seconded by Don Dohrman to open Council into a Special Meeting. After a roll call vote, the motion passed unanimously. *Abstain*: None. *Absent*: None.

Jason Tinnerman made a motion, seconded by Anthony Miller to adjourn into an Executive Session pursuant to Charter Section 4.12(b)(5)(b) 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 Session at 9:46 p.m.

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

Council came back into session at 10:23 p.m.

ADJOURNMENT

Jason Tinnerman made a motion, seconded by Anthony Miller to adjourn the meeting. The meeting adjourned at 10:24 p.m.

Linda L. Cantrell CAP-OM
Clerk of Council

Fred Francis
Mayor