

# COUNCIL MEETING

*August 9, 2016*

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

The invocation was given by Councilmember Sarah Copp.

Mayor Francis called the meeting to order.

*Present were:* Mayor Francis; *Councilmembers:* Sarah Copp, Anthony Miller, Scott Fogle, Karen Grudich, Don Dohrman, and Jason Tinnerman. *Also present were:* Manager Kline, Law Director Lenee Brosh, and Clerk Cantrell. *Absent:* None.

## MOTION TO EXCUSE ABSENT COUNCILMEMBERS

There were no absent Councilmembers from this meeting.

## MINUTES

Scott Fogle made a motion, seconded by Karen Grudich to adopt the minutes for the July 12, 2016, Council Meeting and the July 26, 2016, Special Council and Workshop Meeting. After a roll call vote, the motion passed unanimously. *Abstain:* None. *Absent:* None. *Minutes adopted.*

## COMMUNITY PRIDE AWARD WINNERS

Mayor Francis thanked the Community Pride Award winners for taking pride in their property and keeping it looking nice.

Mayor Francis stated the following were Community Pride Winners:

Todd and Tammy Howard  
Robert Woodall, Jr.  
Ruth Shannon

None of the Community Pride Winners were in attendance.

## CORRESPONDENCE TO COUNCIL

There was no correspondence to Council 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 introduced by Council and read by Law Director Brosh, AN ORDINANCE TO AMEND THE 2016 APPROPRIATIONS. The public hearing for *Ordinance CM-16-24* will be held on Tuesday, August 23, 2016, at 7:30 p.m. in Council Chambers of the Municipal Building.

Manager Kline stated the primary changes to the Appropriations have to do with street resurfacing for additional paving for alleys and a decrease in the Refuse Contract Services due to the invoices being lower than anticipated. 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.

### Resolution CM-16-25

*Resolution CM-16-25* was introduced by Council and read by Law Director Brosh, A RESOLUTION TO CERTIFY DELINQUENT WATER, SEWER, AND REFUSE ACCOUNTS, AND COSTS ASSOCIATED WITH REMOVAL OF GRASS, WEEDS, AND LITTER TO THE MIAMI COUNTY AUDITOR FOR COLLECTION. Jason Tinnerman made a motion, seconded by Scott Fogle to adopt *Resolution CM-16-25*. After a roll call vote, the motion passed unanimously.

*Abstain: None. Absent: None. Resolution CM-16-25 adopted.*

Manager Kline stated the amounts in *Resolution CM-16-25* are less than last year.

### Resolution CM-16-26

*Resolution CM-16-26* was introduced by Council and read by Law Director Brosh, A RESOLUTION RECINDING RESOLUTION CM-16-15 WHICH PLACED THE UNEXPIRED TERM OF VICE-MAYOR-COUNCILMEMBER OF THE MUNICIPALITY OF WEST MILTON, OHIO, ON THE NOVEMBER 8, 2016, BALLOT. Sarah Copp made a motion, seconded by Don Dohrman to adopt *Resolution CM-16-26*. After a roll call vote, the motion passed unanimously.

*Abstain: None. Absent: None. Resolution CM-16-26 adopted.*

Manager Kline stated the West Milton's Charter states when there is an open seat for Mayor, Vice Mayor, or a Councilmember with more than a two-year term left it has to be voted on in the next Municipal or Special Election. He stated the Board of Elections is requiring the Resolution that was passed to state it would be a "Special

Election.” Manager Kline stated *Resolution CM-16-15*, A RESOLUTION TO PLACE THE UNEXPIRED TERM OF VICE-MAYOR-COUNCILMEMBER OF THE MUNICIPALITY OF WEST MILTON, OHIO, ON THE NOVEMBER 8, 2016, BALLOT did not contain that wording. And due to the fact there is not enough time to get the necessary paperwork and Resolution adopted in time Scott Fogle will remain as Vice Mayor for the remainder of the term. Manager Kline stated the Board of Elections is the ones pulling this off the ballot not the Municipality of West Milton.

Ordinance CM-16-27

*Ordinance CM-16-27* was introduced by Council and read by Law Director Brosh, 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. The public hearing for *Ordinance CM-16-27* will be held on Tuesday, August 23, 2016, at 7:30 p.m. in Council Chambers of the Municipal Building.

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 he will have to really study this issue and will get back to Council.

Resolution CM-16-28

*Resolution CM-16-28* was introduced by Council and read by Law Director Brosh, RESOLUTION TO AUTHORIZE THE MUNICIPAL MANAGER TO CONTRACT WITH UNITED HEALTHCARE FOR EMPLOYEE HEALTH INSURANCE. Anthony Miller made a motion, seconded by Don Dohrman to adopt *Resolution CM-16-28*. After a roll call vote, the motion passed unanimously. *Abstain: None. Absent: None. Resolution CM-16-28 adopted.*

Manager Kline stated the quotes for the Employee Health Insurance came in after the July 26, 2016, Council Workshop Meeting. He stated this is the first year he is not asking Council to make any changes in the Employee Health Insurance. Manager Kline stated the increase in cost is less than two (2%) percent and that the cost is below the cost for Employee Health Insurance in 2013.

## MUNICIPAL MANAGER

### 1) Dollar General Store –

Manager Kline stated things are moving forward with the construction of a new building which will house the local Dollar General Store. He stated a developer would be purchasing the Patterson Flower's property at 965 South Miami Street. Manager Kline stated after several months of planning, listening, and redesigning, all issues regarding this project have been resolved and approved. He stated both the Planning Board and the Board of Adjustments met last week. Manager Kline stated a re-plat of the property and a landscaping plan for the property were approved by the Planning Board. He stated the Board of Adjustments approved the request for a smaller parking lot. Manager Kline stated the Municipality of West Milton has approved a Zoning Certificate. He stated he assumed the building permit process is under way with Miami County. Manager Kline stated he does not have a timetable from the developer; but stated they did agree to meet with the Municipality at a pre-construction meeting prior to building. The parking lot was reduced from fifty-three (53) spaces to thirty-five (35) spaces.

### 2) Bid Opening Set for Emerick Sewer Lining –

Manager Kline stated the relining of the sanitary sewer main located on Emerick Road is currently going through the bid process. He stated bids would be opened on Wednesday, August 24, 2016. Manager Kline stated this would give them time to review everything and make a recommendation to Council at the September Council Workshop Meeting. He stated this is an Ohio Public Works Commission (OPWC) Grant Project and was not included in this year's budget; but depending on when the successful bidder may want to start this project a final re-appropriation adjustment may need to be made during the last quarter of 2016. Manager Kline stated the successful bidder would be required to complete the project by May 1, 2017. He stated Choice One has prepared the plans for this project.

### 3) Workshop/Special Meeting –

A Council Workshop/Special Meeting will be held on Tuesday, August 23, 2016, at 7:30 p.m. in Council Chambers of the West Milton Municipal Building.

## COMMENTS FROM COUNCIL

There were no comments from Councilmembers at this time.

## COMMENTS FROM CITIZENS

There were no comments from citizens at this time.

ADJOURNMENT

Scott Fogle made a motion, seconded by Don Dohrman to adjourn the meeting. The meeting adjourned at 8:06 p.m.

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Linda L. Cantrell CAP-OM  
Clerk of Council

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Fredric M. Francis  
Mayor