

MINUTES OF REGULAR MEETING OF SMITHVILLE VILLAGE COUNCIL

AUGUST 5, 2019

The Council of the Village of Smithville met in regular session on Monday, August 5, 2019 at 7:00 pm in Village Hall. Mayor Tom Poulson called the meeting to order. Members present at roll call were Larry Allen, Jim Carter, Tricia Fetzer, John Heitger, and Robert Kerr. Fiscal Officer Pam Keener, Solicitor Matt Simpson, Police Chief Howard Funk and Clerk of Council Beverly Hatten were also present. Scott Thorn and Mark Wynar were in the audience.

Allen motioned to approve the minutes of the July 15, 2019 regular meeting as presented. Carter seconded the motion. The minutes of the July 15, 2019 meeting were unanimously approved.

Mayor read the letter of resignation from Council Member Ken McCune. Fetzer motioned to accept the resignation of McCune. Carter seconded the motion. Council unanimously agreed to accept the resignation of Ken McCune.

Fetzer motioned to appoint Scott Thorn as Council Member to fill the chair vacated by Ken McCune. Allen seconded the motion. Council voted to appoint Scott Thorn: Allen yes, Carter yes, Fetzer yes, Heitger abstain, Kerr yes. Council approved Scott Thorn to take the vacant seat.

Mayor invited Scott Thorn to step up and Thorn was sworn in as Councilperson.

Police Chief Funk presented the July 2019 Police Report to Council. Allen motioned to accept and file the police report. Kerr seconded the motion. Council unanimously motioned to file the July 2019 police report. Funk presented a letter requesting Officer Pettry be removed from probation and placed as a full time officer. Fetzer motioned to accept Officer Pettry as a full time officer off probation. Carter seconded the motion. Council approved unanimously to remove Officer Pettry from probation and instate as a full time officer. Funk stated the background check he was doing has been put on hold as the applicant is being considered as a full time officer at other departments.

Mayor shared the July 2019 Income Tax Revenue Report.

Mayor advised of an Ordinance being presented for Council approval. This ordinance is concerning the heavy inflow into the sanitary sewer when it rains. Simpson explained the ordinance is to clarify wording of the original ordinance to the use of public sewers. **Ordinance 2019-13** Amending sections 50.58 and 155.010 of the Village Code of Ordinances. Fetzer motioned to suspend the rules. Allen seconded the motion. Council unanimously agreed to suspend the rules for Ordinance 2019-13.

Ordinance 2019-13 Amending Sections 50.58 and 155.010 of the Village Code of Ordinances. The change is in order to prevent confusion regarding non-specific references to sewers. Fetzer motioned to adopt. Carter seconded the motion. The inflow volume increases drastically during a heavy rain event. The intent is to work with residents to give them time to correct and solve the problem, not to fine them. However, a fine could be imposed if the correction is not made. Smoke testing will be done and pictures will be taken. Every attempt has been taken to contact owners. A notice has been in the newspaper, letters have been sent to every residence, notification is on the website, tags will be hung on doors. A resident on Parkview advised they were close to having sewage back up into their basement during the last storm.

- Section 50.58 amended to read: When the public sanitary collector is available it shall be unlawful for any owner, agent, lessee, tenant or occupant of any lot or land located within the village, to discharge into the sanitary sewer of the village any roof waters, surface or subsoil drainage, or other clean waste water; or to discharge into the public sewer any septic tank

effluent. Thereafter, any existing connection in violation of the provisions of this section shall be abandoned and removed.

- Section 155.010 amended to read: All roofs of every building and structure shall be maintained weather tight and structurally sound. The roof is to include gutters and downspouts connected to a public storm sewer wherever possible. If no storm sewer is available, the surface ground topography should drain the downspout water away from the foundation. No downspout or sump pump line shall be connected to a sanitary sewer or placed so as to drain onto neighboring properties.

Council unanimously adopted the changes to Code of Ordinances as stated in Ordinance 2019-13 amending Sections 50.58 and 155.010.

The first Council Meeting in September falls on Labor Day. Mayor inquired if Council would like to meet on a different day. Council determined to change the meeting date to Tuesday, September 3, 2019 at 7:00 pm.

Resolution 2019-14 Authorizing the preparation and submission of an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement programs and execute contracts as required. Fetzer motioned to suspend the rules. Allen seconded the motion. Council unanimously agreed to suspend the rules for Resolution 2019-14.

Resolution 2019-14 Authorizing the preparation and submission of an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement programs and execute contracts as required. Fetzer motioned to approve Resolution 2019-14. Carter seconded the motion. The Council and BPA had a combined meeting to discuss the new water tower July 29, 2019. The current water tower will be replaced. The BPA has requested cost estimates for two different sizes of water towers. Council may approve the application process while BPA works through the cost. The project is known as West Main Street Water Tower Project. The Mayor will be authorized to enter into any agreements necessary and appropriate for obtaining this financial assistance. Council unanimously adopted Resolution 2019-14 to authorize an application to OPWC for funding assistance.

Fiscal Officer Keener presented the July 2019 Financial report. Fetzer motioned to file the July 2019 Financial Report. Kerr seconded the motion. Council unanimously agreed to file the July 2019 Financial Report.

Mayor recognized Mark Wynar. He stated he is purchasing property on N Mill Street, two parcels (33-00183.001 and 33-00185.000). He would like to combine the parcels into one so he may build a house. Council reviewed the documents. Fetzer motioned to allow the parcels on N Mill St to be combined. Kerr seconded the motion. Council unanimously agreed to the combination of parcels 33-00183.001 and 33-00185.000.

Liaison Reports:

Carter advised there is still a light to be fixed and two ash trees need taken down. An estimate will be obtained for the trees.

Heitger is hoping the street paving will be done soon. The contractors really got behind because of the weather.

Keener advised she is working on the capital plan. Everyone will need to have their capital plans turned in by September 3.

Mayor's updates:

- Mayor advised the Hubachers requested he pass along how much they appreciate the plants and planters downtown.
- Mike Meenan of Riverview has made contact with the Village regarding putting in a new building and running the water and sewer lines to it, connecting to existing lines they have. The new building will be out of the Village Limits and they will pay the higher non-Village rate to have water/sewer service.
- The water main replacement project is moving along very well.

Fetzer motioned to pay the bills in the amount of \$64,416.78. Carter seconded the motion. Council agreed unanimously to pay the bills.

Allen motioned to adjourn the business meeting. Kerr seconded the motion. Council unanimously agreed to adjourn the meeting at 7:51.

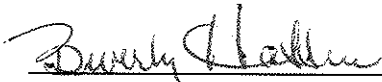
Scheduled meetings:

BPA Meeting August 12, 2019 at 6:00 pm

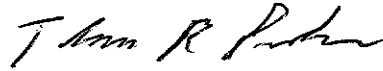
Council Meeting August 19, 2019 at 7:00 pm

Council Meeting September 3, 2019 at 7:00 pm

Minutes of the August 5, 2019 meeting were approved on August 19, 2019



Clerk



Mayor