

## **MINUTES OF REGULAR MEETING OF SMITHVILLE VILLAGE COUNCIL**

### **February 12, 2018**

The Council of the Village of Smithville met in regular session on Monday, February 12, at 7:05 p.m. in Village Hall. The Council Members present at roll call were Allen, Fetzer, Garn, Heitger, & Poulson. Mayor Alexander presided. Also present was Kent Baker of Engineering Associates, Chief Funk, Solicitor Kirkbride, and Clerk-Treasurer Shipper. Also present were residents Rodney Howe, Christian Wertz, Arthur Christopher, Brandon Nettleton, Ryan Imhoff, and Tom Holmes.

Police Chief Funk presented the January Police Report. Garn motioned to approve the January Police Report. Allen seconded the motion and the motion carried unanimously.

Chief Funk presented police officer candidate Christian Wertz. Garn motioned to appoint Wertz to part-time status subject the one-year probationary period based on the mayor's and Chief Funk's recommendation effective Tuesday, February 6, 2018. Fetzer seconded the motion and the motion carried unanimously.

Mayor Alexander opened the meeting for public hearing regarding the David St. Sidewalk Project. Rodney Howe asked for an explanation for the need of the sidewalks on David St. Mayor Alexander and Fetzer responded explaining the sidewalk ordinance, beautification of the village, and for the safety of pedestrians. Christopher explained that his yard is still in disarray after the sewer project and questioned why the sidewalks are not being placed on the other side of the street. Engineer, Kent Baker, responded that both sides were evaluated and the east side was the better choice regarding utilities and other obstructions. Fetzer presented Baker with Tom Paull's proposal about moving the sidewalk and Baker explained that the sidewalk has already been moved 3 feet as per his requests. Baker said it was his understanding that Mr. Paull was okay with the concessions that have been made and that his trees will still be affected by the sidewalk location. Garn presented a letter of apology from Paull for not getting back with council about the original offer to pay for the moving his trees. Garn motioned to close the public hearing. Fetzer seconded the motion and the motion carried unanimously.

Allen informed Baker that resident Burns plans to install his own sidewalks and requested further information about the installation. Council discussed the best manner to present bid documents and additional costs of residents potentially opting out of the village contract with Engineering Associates. Residents need to opt out in writing by February 16th and the project needs to be completed by May 1st. The project will be inspected by Engineering Associates and needs to be completed according to the specs drafted by EA.

Fetzer motioned to approve the minutes from the January 22nd council meeting. Allen seconded the motion and the motion carried unanimously.

There was nothing under Correspondence.

Under Old Business, Mayor Alexander requested council's permission to request quotes for utilities from 2 different entities through AMP.

The South Summit St. house damaged by fire will receive a notice of needing building permits from the Wayne County Building Department. The homeowner is scheduled to arrive at Mayor's Court. Zoning Inspector Parker will be requested to come to Mayor's Court as well.

Heitger will contact B&K Concrete to ensure that the current bid is the most up to date bid. Council will also need to review the grant guidelines in place for the downtown property owners.

Mayor Alexander communicated with Lisa Johnson at the Wooster Planning and Zoning Department. Johnson stated that Wooster may be retracting their original 201 request and will be revised.

Under New Business, Turner will be attending LTAP Asphalt paving Preservation Workshop. Fetzer motioned to approve spending \$40 to pay for the class and any additional reimbursement costs. Garn seconded the motion and the motion carried unanimously.

Poulson presented a copy of the income tax revenue report to help track estimated revenues through the year.

Poulson motioned to approve the January Monthly Financial Report. Fetzer seconded the motion and the motion carried unanimously.

Garn motioned to approve the application for placement of farmland in an agricultural district (O.R.C. Section 929.02) for Ellen Keith. Allen seconded the motion and the motion carried unanimously.

Council discussed the interest rates on our current CDs at Farmer's National Bank and other options available to municipalities. Council decided to explore more options before renewing the CDs. Poulson motioned to non-renew the CDs with Farmer's National Bank and explore other options in the best interest of the village. Fetzer seconded the motion and the motion carried unanimously.

The E. Main St. property annexation cannot currently happen under current terms as the property is not zoned properly. The current zoning code language does not include retail. Garn raised concern about water usage and proper flow to extend the water main line to the property. The water questions, proper sewer flow and an annexation agreement all need to be answered and finalized before the project can move forward.

Kirkbride updated council on HB 49 lawsuit needs an ordinance passed to allow the village to be free from violation of the current state law that could be overturned in the future. Garn motioned to suspend rules regarding resolution 2018-2. Fetzer seconded the motion and the motion carried unanimously.

Garn motioned to adopt Resolution 2018-2, amending the Village of Smithville, Ohio Income Tax Code to Adopt Sections 718.80 through 718.95 of the Ohio Revised Code and declaring an emergency. Fetzer seconded the motion and the motion carried unanimously.

Poulson motioned to suspend rules regarding Resolution 2018-3. Allen seconded the motion and the motion carried unanimously.

Poulson motioned to approve Resolution 2018-3, authorizing Mayor Paul Alexander to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to execute contracts as required. Fetzer seconded the motion and the motion carried unanimously.

Under Liaison Reports, Fetzer reported a note from Turner reporting that the skid steer needs various repairs. Fetzer motioned to approve spending an amount not to exceed \$2,500 for Lowe and Young to repair seals on the skid steer. Garn seconded the motion and the motion carried unanimously.

Garn stated that the new drinking has arrived. Kidron Electric has not yet performed the approved electrical repairs. The flag and wreath retirement ceremony will take place Sunday, February 18th at 3:00 PM.

Allen motioned to rescind a previous motion allowing Troyer Roofing to replace roofs on two buildings in the village. Fetzer seconded the motion and the motion carried unanimously.

Garn motioned to allow Lucci Custom Work to replace 4 roofs in the village. Fetzer seconded the motion and the motion carried unanimously.

Garn motioned to spend \$500 for Rogue Tree Services to remove a tree on Milton St. Allen seconded the motion and the motion carried unanimously.

Garn motioned to approve spending \$3,900 for SilverTech to prime and seal the bathroom floors in the restrooms at the park. Poulson seconded the motion and the motion carried unanimously.

Garn motioned to pay the bills in the amount of \$41,004.47. Fetzer seconded the motion and the motion carried unanimously.

Mayor officially thanked council for their thoughtfulness in sending flowers in memory of Mayor Alexander's father.

A motion to adjourn was made by Allen. Motion carried unanimously.

Meeting adjourned at 8:54 PM.

Next regular meeting for Village Council is Monday, February 26, 2017 at Village Hall at 7 p.m.

Minutes approved on 2/26/18



Clerk-Treasurer



Mayor