

## MINUTES OF REGULAR MEETING OF SMITHVILLE VILLAGE COUNCIL JULY 16, 2018

Mayor Alexander opened the Tax Budget Hearing at July 16 at 7:10 pm in Village Hall, Mayor Paul Alexander called the meeting to order. Members present at roll call were Larry Allen, Tricia Fetzer, Joyce Garn, John Heitger, Ken McCune, and Tom Poulson. Pam Keener, Fiscal Officer; Beverly Hatten, Clerk of Council, Matt Simpson, Solicitor and Police Sergeant Jen Barnett were present.

Poulson gave an overview of the tax budget process, and stated once the council voted to approve the budget it would be submitted to the county. This plan is more specific than we have had in the past. Keener reviewed the reports, the total budget receipts by fund were detailed from 2016 to 2018. For 2019 receipts were budgeted at 1.9 mil and expenses were budgeted at 1.5 mil. Keener mentioned future projects that had been included in the budget such as water main replacement and paving.

The Mayor closed the budget hearing and opened the regular session of the Village of Smithville Council Meeting.

Hatten stated there were corrections to the minutes submitted and changes were made. Poulson motioned to approve the minutes for the July 2, 2018 meeting, Heitger seconded and the minutes were approved, Fetzer abstained.

Mayor recognized Sgt Barnett. Sgt Barnett addressed the council regarding the hourly wages for police officers. She stated she lives in Smithville and would like to stay and raise her family here. It is difficult to keep officers at the low wages paid here as evidenced by the turn over the department under goes.

Mayor requested an update on the Permissive Tax increase. Simpson advised he contacted an individual in the state tax department on the 10<sup>th</sup> and followed up with them this morning by email and found they have been out of the office since the 11<sup>th</sup>. This is for the Permissive Tax on license plates. We are behind most municipalities in the area by \$5. We are at \$15. Each pass is for \$5 and we are up to \$15. We have 3 on there now instead of 4. In 2019 they are going to allow \$5 more, up to \$25. In order to get that levy enacted in the municipality for 2019 you would have had to have passed it by July 1 of this year. Simpson asked about an extension, waiting to hear back on that. It may be 2020 before the increase can be made. He needs more information as some taxes are contingent on what the county does. Each county is different. Simpson is hoping for an extension for which we can apply/petition.

Mayor advised he received a call from Trevor Hunt last week regarding the 201 plan Wooster tabled their request at time. Poulson advised he spoke to county commissioners. He explained while Wooster did table the change at this time it was due to other issues they are working on, it is only delayed. They have not changed their minds and are not saying why they want the 201 change. CT Consultants sent a letter on our behalf opposing the change and we submitted a letter from the Village Council with our names on it to confirm that we oppose the Wooster 201 plan change.

An update regarding the OHSAA Inclement Weather Policy being included in the ordinances was discussed. Simpson advised it would be more appropriate to include it in the rules and regulations rather than create an ordinance and then have to be specific on who it covers and when. Would it

apply to everyone or only certain groups. Fetzer recalled it began with the incident of lightning while youth baseball was in progress and the director not calling the game for the 30 minute wait. Garn advised the OHSAA policy only applies to school sponsored functions, organized activities. Fetzer advised it's not clear if it should apply to everyone, what about liability for the Village. Solicitor advised it would not affect the liability, just how it is enforced. It is more difficult as an ordinance on how it applies to some and not others. Simpson is going to contact the police chief before proceeding.

#### Resolution 2018-17

Keener advised there were changes in Appendix A: Increase Appropriations, an increase in estimated resources. If the change is not made to estimated resources then appropriations will exceed the estimated resources. They should equal. Appendix B is Transfer Appropriations which were mentioned at the last meeting.

Poulson motioned to suspend readings for Resolution 2018-17, The Fiscal Officer is authorized and directed to transfer appropriations and increase appropriations as needed in the amounts listed in Appendix A and declare an emergency. Fetzer seconded the motion and the motion to suspend was passed unanimously.

Poulson motioned to pass Resolution 2018-17 to allow the fiscal officer to increase the appropriations and revenue and transfer appropriations, McCune seconded the motion and it passed unanimously.

Poulson advised a request for an address change has been made, Simpson had run into an individual informally who made the request. What would actually be done is assign a new street address. Mike Turner would determine it by doing a measurement. The businesses out by The Barn would like individual addresses. Garn inquired if the owners of the Barn would be included in the decision as they are the owner of the property. Simpson advised he believed it was the owner of the property which approached him. He was told to stop at Village Hall and ask. Poulson advised they will need to submit the request in writing. Simpson advised there was also a discussion of a petting zoo and whether it would violate an ordinance. He is unaware of what they want or what size it would be. They were referred to Village Council. Garn advised they had inquired previously, years ago. Poulson mentioned it is in the ordinances what animals and the number that are approved. He also reminded council about the request for horses across the street and it was turned down. We will wait to be approached and make sure they put it in writing and address the Council.

2019 Budget approval. Poulson motioned to approve the 2019 Budget as presented in the Tax Budget Hearing prior to the regular meeting. Fetzer seconded the motion and the 2019 Budget was approved unanimously.

Zoning Issues Update. Mayor advised of a current issue with residents on S Summit. An email was received from Kathryn Thomas regarding the residence next door to her parents. Complaints include the resident at 184 S Summit having a camper in the alley and someone living in it for an extended period of time, wood piled on the property – not stacked, the resident carrying a gun on his belt whenever he is outdoors. Her parents feel harassed and threatened.

At this the police have been made aware of the situation and have been out several times to speak to the residents. Jon Parker, the zoning inspector, has been made aware of the situation and has checked out the complaint. Jon is very thorough, he goes out personally to see if a complaint has merit. He has found issues. Poulson read a letter which Parker sent to the tenant of the 184 S Summit and the owner, Chriss Steiner, regarding the complaint. 1. Travel trailer parked unlawfully in a dedicated alley. 2. A

residence is maintained in the travel trailer the Wayne County Department of Health may be contacted regarding unlawful and inappropriate disposal of waste by the inhabitants. 3. The barn where either there are no doors or doors that do not close, therefore the building cannot be secured. 4. Large uncut tree sections around the barn.

Poulson advised Parker is handling the zoning violation aspects of the complaint. The police have checked and the owner has the right to carry a weapon, he is on his property and not a felon. The health department has been contacted regarding what is being done about the waste from the trailer. Discussion was held about the situation. There is nothing on the books. The Village does not have an ordinance which prevents residents from having a camper on their property with someone living in it, even for a specified short period of time. The big issue is someone living in it (camper), is it in the alley, how long and what they are doing with the waste.

There was an issue at 419 N Summit pertaining to litter around the residence, possible health/fire hazard, an unlicensed car sitting in the yard.

The zoning issue on S Summit, the house that had the fire seems to have stalled again. They were cited into court and they did appear. They have boarded the windows. We are looking for a resolution not fines. As long as they are making progress, but it still seems to be an issue that needs resolved.

Poulson advised the Village Council needs to back up Parker and support him in his role of Zoning Inspector.

McCune advised the brake line is blown again on the 1969 Ford dump truck. We need to fix it or get rid of it. To fix it the truck will need towed, which is another expense. It is not used and is just sitting there rusting, there's really no need to keep it. Discussion followed on maybe looking at a smaller dump truck or possibly a dump trailer for the one ton pick-up. If we sell the dump truck it would need to be towed, not driven off the property due to the condition of the brakes. McCune motioned to sell the 1969 red Ford dump truck, condition "as is", must be towed, with \$1,000.00 reserve. Dump bed works, engine runs, brake line is broken. Fetzer seconded and the motion was passed unanimously to sell the dump truck "as is" with a \$1,000 reserve.

Garn advised the lawn sweeper had debris left in it, the bottom has rusted. They don't need it and don't use it. McCune advised of the condition of the lawn sweeper and stated it is just in the way. We don't use it and need to get rid of it. McCune motioned to sell the lawn sweeper with a \$500.00 minimum. Fetzer seconded. The motion to sell the lawn sweeper with a \$500 minimum was approved unanimously.

McCune stated Mike Turner is working on cleaning up the area around the village garage. There are stacks and stacks of scrap pipe that is of no use just lying around. They will throw it away to get the area cleaned up. We should give him the privilege to use his own discretion to clean it up.

Fetzer wanted to remind everyone to make sure we are communicating with each other, sharing information with the correct liaison people. Seems like Poulson is getting a lot of emails, maybe someone else should be handling some of them. Make sure everyone is doing their part.

Garn advised the park has 2 new signs coming in for the Veteran's Memorial. There is a quick meeting tomorrow in the park at 10:00 am. We will be discussing how to fix the bleacher section on the first base side. There is an idea of putting in a wall. Garn had tried to contacted Burkey for an estimate on

the cost. There are some projects which have not been completed yet and might have to put them off until next year.

Poulson advised from the pre construction meeting regarding the Milton Street water main replacement project, they will be starting July 22. The detour signs will be in place with no through traffic for S Milton Street, residents, school buses and emergency vehicles will be able to get through. We may have issues with the old pipe breaking. They will be moving the line 2 foot further. If there is a break they will jump in and fix it to keep the project moving. We will be notified of a change order for the additional costs.

Garn advised she noticed in the bills that Valley View has an invoice for spraying for mosquitoes dated June 4<sup>th</sup>. She has mosquitoes. Mayor advised he'd call and have them spray again.

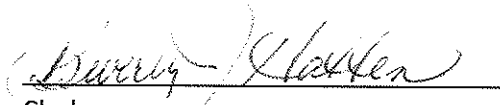
Garn motioned to pay the bills in the amount of \$112,641.68. McCune seconded and it was passed unanimously.

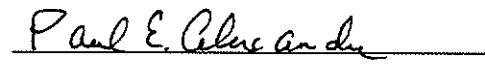
Keener advised the Financial Report is not on the agenda to be approved. The expense and revenue reports will be emailed. Garn motioned to accept the June Financial Report and Fetzer seconded. The Financial Report was accepted unanimously

Next Council Meeting will be August 6.

A motion was made to adjourn the meeting and passed unanimously. Meeting was adjourned at 8:22 pm.

Minutes approved on August 6, 2018.

  
Clerk

  
Mayor