

MINUTES OF REGULAR MEETING OF SMITHVILLE VILLAGE COUNCIL
NOVEMBER 5, 2018

The Council of the Village of Smithville met in regular meeting on Monday, November 5, 2018 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, Ken McCune and candidate for council, Robert Kerr. Fiscal Officer Pam Keener, Solicitor Matt Simpson, Police Chief Howard Funk, and Clerk of Council Beverly Hatten were also present. In the audience were Tammy Kerr and Marie Moore.

As the first order of business Mayor Poulson swore in Robert Kerr as council person.

Allen motioned to approve the minutes of the October 15, 2018 regular meeting as written. Carter seconded the motion and the minutes were unanimously approved.

Mayor recognized Chief Funk for the police report. Chief Funk presented the October Police Report for council's consideration. McCune motioned to file the police report. Heitger seconded the motion and the October Police Report was unanimously accepted to file. Chief Funk advised the candidate for part-time officer does not have the availability the Village needs. He is no longer under consideration and the Chief will continue to look for an officer. Mayor inquired if there were any issues during the trick or treat. Chief advised there were not, the rainy weather may have been a factor in keeping some of the trick or treaters in this year.

Old Business

Capital Plan – 5 year Forecast (by department)

Keener reviewed the plan with council, going over the planned expenditures with the expected revenues. The plan shows an itemized list broken down by department. This is a plan to guide expenditures, but changes can be made. If council has questions they are welcome to email Keener.

Department Spending Threshold. Mayor advised the department spending threshold has been tabled for now as other issues, such as the capital plan, salary proposal and the appropriations are considered.

Annexation – Dollar General

Wayne County Commissioners met and approved resolution for the annexation of the land northeast of Smithville for the proposed Dollar General. The Village needs to wait for 60 days past the notification from the county for first reading, which will be the first meeting in January. Site plans need to be submitted, water runoff plans. They submitted them directly to CT Consultants who will be reviewing the plans. Dollar General provided an advance of \$5,000 to use to pay the invoices for CT Consultants for the review. We will copy the invoices to Dollar General. Also submitted were applications for planning commission, zoning board of appeals, and zoning. Those 3 were needed to be submitted but the fees were not included for sign portion of the zoning application and will need to be paid also.

Blackwell, Zoning Board of Appeals, will contact members to arrange a meeting to allow a presentation to the board members so they may ask questions and approve. We did not have retail conditional use previously and the meeting will be to determine granting them the retail use for the property.

Planning commission will consider the number of parking spaces required, Set back, percentage of the lot covered. Mayor has requested they put their argument into writing prior to the meeting so it can be reviewed. Jon Parker has agreed to chair that group. The Mayor will be there. They need to go through those steps before coming to council.

Traffic study was done which indicated the speed limit should be lowered, especially the northbound side as traffic will be slowing down, possibly stopped, to make a left turn into the lot. Council will need to submit a resolution to ODOT to request the lowered speed limit. Simpson reviewed the resolution with council. Fetzer motioned to suspend the rules for the resolution to request the speed limit of 35 mph be extended to the newly annexed Village limit. McCune seconded the motion. Discussion of the speed limit and location were discussed. Heitger request a closer look, Simpson provided an aerial photo. Heitger would like to go out and view the area. Fetzer motioned to table the resolution until the next council meeting to allow a closer look. Heitger seconded the motion to table the resolution which would extend the speed limit. Council agreed unanimously. Heitger advised he would be ready with a decision for next meeting.

Fetzer motioned to purchase the filing cabinets for the Village Office not to exceed \$3220. Changes are prepared for the appropriations if council approves. The filing cabinets are fire proof cement and steel walled. Allen seconded the motion. Heitger asked if they were new or used. Fetzer advised they were new. There are no used ones the correct size available at this time. Council approved the purchase of filing cabinets unanimously.

Fetzer motioned to purchase a computer for the mayor's office and Microsoft Office programs, Word and Excel, not to exceed the quote of \$629 for the computer and \$199.99 for the Microsoft programs. Carter seconded the motion. Council passed the motion to purchase the computer and Microsoft programs for the Mayor's office.

Resolution 2018-26. A Resolution to authorize the fiscal officer to transfer appropriations and/or increase appropriations and declare an emergency. The amounts for transfer are \$3220 increase in appropriations for fire proof filing cabinets and \$630 for the mayor's computer; total appropriation transfer of \$3,850. Allen motioned to suspend the rules to declare an emergency; McCune seconded the motion to suspend the rules. Council voted unanimously to suspend the rules for Resolution 2018-26. McCune motioned to approve **Resolution 2018-26**. Fetzer seconded the motion. Council passed Resolution 2018-26 unanimously to authorize the fiscal officer to transfer appropriations for the approved purchases.

A risk assessor who works for PEP, Public Entities Pool of Ohio, came in to review the Village. They came back with recommendations. Fetzer explained each recommendation and what the Village has done or will do for compliance.

Risk Assessment

1. Park rules regarding the use of firearms should be reviewed. Answer: Park rules have been removed, reviewed and were changed to reflect the ORC regarding firearms.
2. Replace missing plastic side-release buckle on Adaptive Swing Seat. Answer: The buckle on the swing has been installed.

3. Updated Personnel Policies and Procedures are suggested. Answer: The Personnel Policies and Procedures are being updated.
4. A "Minimum Fine" placard is required to accompany all handicap reserved parking signs per the Ohio Revised Code. Answer: The Minimum Fine signs have been ordered and will be installed.
5. Annual Motor Vehicle Record reviews are suggested. Answer: Motor Vehicle Records were obtained for Village employees that drive Village vehicles. This will be done on an annual basis.
6. Bleacher improvements are suggested. Answer: The bleachers that are not in compliance are being removed and new bleachers that are in compliance are being ordered and installed in 2019.

The risk assessment is used to determine rates. Risk relative to law suits, lower the risk the lower the rates.

The Village has a new zoning application for variance request with a fee of \$200.00. The Village has never had an application for a variance request. Parker drew up the application. We are asking for the approval of the application. Currently it will be use for Dollar General and going forward. McCune motioned to approve the zoning application for variance request with the \$200.00 fee. Allen seconded the motion. Council unanimously approved the use of the zoning application for variance request with the \$200.00 fee.

County 201 Plan Update. Wooster had a request which they withdrew. They have recently resubmitted the request which comes into Smithville's area. They proposed moving it to Geyer's Chapel, all the way to 585, all the way north to Schellin. Wayne County informed the mayor of this and requested a meeting with him. Mayor met with county officials and did involve CT Consultants. They wanted to know where Smithville was in relationship to the request. Mayor asked if they knew Wooster's plans. County advised no. At this time County advised they will back Smithville, they will not support Wooster's request. Wooster is not sharing plans. The mayor was concerned about other issues not related to sewer such as the school district, loss of revenue to the district, also fire department issues. This could be a domino effect. Mayor is meeting with them Friday morning at 8:30 at the Wayne County Administration building. He will listen to their concerns, but would make no commitments at the meeting. County will be there as well. County did direct mayor to speak with Jarra Underwood, Wayne County Auditor, in relationship to how tax dollars are currently being split. In speaking with Underwood the mayor found that Wooster City Schools is currently in the process of petitioning the Department of Education to move those properties from Green Local School District to them. Mayor did speak with Green Local School Board President, Steiner and he arranged for a meeting with the school superintendent Wednesday morning at 7:00 am to get their input and concerns. We will be asking for a formal action of council supporting the decisions that we will make.

CT Consultant's additional request of \$55,000 for engineering projects in the next few months. Some of the items on the list we will do ourselves, such a rate study and projecting our income and expenses. The Water Source Protection Plan must be done by a consultant to meet EPA requirements. CT Consultants does not have anyone to do this work at this time. The Office Management Plan which we are working on and is required, the Village of Smithville is further along with the plans than others in the area, so there is no urgency at this time. The general service contract we have with CT Consultants will probably come in higher for the next year. The original amount of the general service contract with CT Consultants will be spent by the first of the year.

Salary Ordinance. Mayor, Fetzer and Keener have been working on a salary ordinance which will show some history and proposal for the next year. Council will need to pass the salary ordinance by the end of the year.

Mayor announced the income tax revenue is \$9,485 above projections.

October Monthly Financial Report. A motion was made by McCune to approve the October Financial Report, place on file for audit. Kerr seconded the motion. Council unanimously agreed to place the October Financial report on file for audit.

Mayor advised the bank account was changed at the bank into a sweep account, funds over \$25,000 were "swept out of the account" into an investment account. Every night the funds are re-adjusted to maintain the balance in the main account at \$25,000. In the first month we have earned \$523.00 in interest.

Equipment Report. McCune advised we can lock in the price for the Durapatcher (\$56,673) if they receive a letter of intent. McCune advised he, Mike and Becky can contact them for what is needed in the letter. The longevity of this machine is good. The up keep and the patching will save the Village money. The price is to go up after the first of the year by \$15,000 due to a coming engine redesign. Keener advised there are no funds available at this time to pay for the machine. Mayor advised they would need to look at expenses again, re-assess, re-prioritize, or eliminate to be able to make the purchase. Currently there is not one project large enough to eliminate to cover the cost. After much discussion it was determined to postpone projects to be able to afford the Durapatcher. Fetzer motioned to postpone, delay the downtown sidewalk project and to move the engineering costs from 2019 to 2020 to delay the Fairlawn sidewalk project to purchase the Durapatcher. Heitger seconded the motion. Council agreed unanimously to postpone sidewalk projects to purchase the Durapatcher. McCune advised he would do the letter of intent with Becky and Mike, contact Mike Myers to find out what needs to be in the letter.

Fetzer regarding the hams for employees, Keener advised that is not a proper use for public funds. Mayor advised council can pool their funds and purchase them, but public funds may not be used.

Keener advised the appropriations need 3 readings to pass. The first reading will be next meeting to have it done by the end of the year.

Carter advised tomorrow is a meeting of the Veterans Memorial committee.

Heitger advised regarding the issues with Marrone on the David Street Sidewalk Project, Kent Baker of Engineering Associates has been in contact several times with Marrone Construction about reseeding around the new sidewalks. Marrone wrote they had reseeded but after Baker walked the project he saw nothing that would indicate reseeding took place.

Fetzer motioned to pay the bills in the amount of \$211,870.30. Carter seconded the motion and council agreed unanimously to pay the bills.

The first meeting in January the liaison positions will be discussed.

Allen motioned to adjourn the meeting, Carter seconded. The motion was unanimously approved. The meeting was adjourned at 8:45.

The next regular council meeting will be November 19 at 7:00 in Village Hall.

Regular meetings for December are December 3 at 7pm and the last meeting is December 27 with a time change to 6pm.

Minutes approved on November 19, 2018


Clerk


Mayor