

VILLAGE OF SWANTON

Council Meeting Minutes
October 15, 2019 • 7:00 p.m.

Prayer

Pledge of Allegiance

Roll Call:	Paul Dzyak	Michael Rochelle
	Kathy Kreuz	Craig Rose (excused)
	Jeff Pilliod	Dianne Westhoven

Motion to approve amended agenda made by Councilwoman Westhoven, seconded by Councilman Pilliod. Roll call. ALL YES. Motion passed 5-0.

Motion to approve September 23, 2019 minutes was made by Councilman Pilliod, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 5-0.

Councilman Dzyak summarized the Water and Sewer Committee discussion: committee wishes Mrs. Hoelzle to draft a letter opposing HB 163; install a meter pit as soon as possible in Swissaire Estates.

Councilman Rochelle summarized the Finance Committee discussion and recommend approving the 27th pay for 2020 and the Capital Improvement Plan.

Mayor Roth presented Edward Dziengelewski for promotion to the rank of Captain.

Mayor Roth commended the Lions Club on celebrating 10 years of services in the community.

Becky Goble, Fulton County EMA Director presented on the train derailment that happened in June. She highlighted the organizations involved and the process of cost recovery with Norfolk Southern.

Motion to approve financial reports as presented was made by Councilman Rochelle and seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 5-0.

Motion to approve a 27th pay for 2020 made by Councilman Rochelle and seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 5-0.

New Business:

Motion to approve the 2020-2024 Capital Improvement Plan made by Councilwoman Kreuz and seconded by Councilman Pilliod. Roll Call. ALL YES. Motion passed 5-0.

Project 10 bid opening took place on October 2. Underground Utilities had lowest bid at \$1,037,027.75. They performed the work on Project 7 Sewer Separation as well.

Move to suspend the rules for Emergency Resolution 2019-XX: Authorizing Administrator to enter into agreement for Project 10 Sewer Separation made by Councilman Dzyak, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 5-0.

Motion to approve Emergency Resolution 2019-XX: Authorizing Administrator to enter into agreement for Project 10 Sewer Separation made by Councilman Dzyak, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 5-0.

The following statement is regarding the gentleman who wished to connect to Village water system this summer.

Move to suspend the rules for Emergency Resolution 2019-XX: Adopting a statement, pursuant to Revised Code of Ohio 709.023, indicating what services will be provided to the area proposed to be annexed to the Village of Swanton by petition for annexation filed with the Board of Fulton County Commissioners made by Councilman Rochelle, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 5-0.

Motion to approve Emergency Resolution 2019-XX: Adopting a statement, pursuant to Revised Code of Ohio 709.023, indicating what services will be provided to the area proposed to be annexed to the Village of Swanton by petition for annexation filed with the Board of Fulton County Commissioners made by Councilman Rochelle, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 5-0.

First Reading Ordinance 2019-XX: Enacting Section 95.13 of Codified Ordinances as discussed in Public Safety Committee. Motion made by Councilman Rochelle, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 5-0.

Mrs. Hoelzle noticed a clerical error in conforming boundaries resolution previous passed by Council. It should have stated "East of Fulton-Lucas Road and West of Scott Road".

Motion to approve change error made by Councilwoman Kreuz and seconded by Councilman Pilliod. Roll Call. ALL YES. Motion passed 5-0.

Mayor's Report:

Mayor Roth attended FEMA meeting with Councilman Dzyak and Deputy Chief Schaffer. She is continuing to work on train traffic and blocked crossings with Representative Bob Latta. She cited Village of Archbold and the progress they have made regarding train issues.

Administrator Report:

1. Project Updates
 - a. West Pointe Resurfacing
 - i. Milled and filled; No major issues reported
 - b. Memorial Park Pavilion Renovation
 - i. Shutters in; Doors installed; Paint job looks great!; Plumbing and fireplace last two major items
 - ii. Council inquired about camera's angled toward glass doors
2. Meeting with ODOT regarding median at one entrance to Kroger
 - a. Over the last couple years a few inquiries have come across Mrs. Hoelzle's desk regarding the median on the far west entrance to Kroger on Airport Highway (near Drs. Jones' office)
 - b. The intent of the median is to prevent motorists from turning left out of the parking lot
 - c. However, the grassy area near Drs. Jones' Office is tore up due to motorist trying to avoid hitting the median
 - i. One can clearly see the track marks to indicate such
 - d. Mrs. Hoelzle met with Mike Fountain, Fulton County Transportation Administrator for ODOT to discuss
 - e. He indicated as it is within a municipality it would be the Village's decision on how to proceed
 - f. Mrs. Hoelzle asked for more clarification because the median is the result of an ODOT funded project
 - g. Mrs. Hoelzle is awaiting clarification from ODOT District 2 Planner on if the Village has the decision making authority to do something about the median
3. Swanton Middle School- Career Coach Class
 - a. Mrs. Hoelzle spoke to four classes at SMS in Mr. Remer's Career Coaching Class

- b. She spoke on public service and all the different careers one could pursue in local government

4. Veterans Day Program

- a. Annual program at SHS will be November 8
- b. Please let Mrs. Hoelzle know if you wish to attend the luncheon so an RSVP can be sent

Division Reports:

Public Service – Mr. Tedrow reported there was a water main break in West Pointe on Saturday, October 12. Most likely due to heavy equipment repaving the road. The lines were old, transite material. He has also worked on striping crosswalks and brush pickup.

Police – Nothing to report.

WRRF – Mr. Geise reported he has been working on winterizing the plant.

Water – Mr. Yackee reported he will attend AWW District meeting on Thursday. September has 74% accounted water.

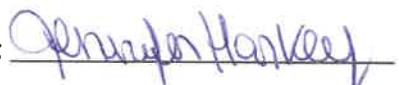
Fire – Chief Wolever reported they will host a Fire 1 class on November 1, facilitated through Four County Career Center. The Fire Department has been working with Swanton Area Schools on a School Disaster Plan.

Adjourn:

Motion to adjourn meeting at 8:12 p.m. was made by Councilwoman Kreuz, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 5-0.



Ann Roth, Mayor

Attest: 
Jennifer Harkey, Fiscal Officer

Water and Sewer Committee Meeting Minutes
October 15 2019 • 6:00 p.m.

Paul Dzyak – Chairman
Jeff Pilliod
Craig Rose (excused)

1. HB 163

a. Information straight from the Ohio Municipal League bulletin
HB 163, sponsored by Rep. Brinkman (R - Cincinnati), would create a process for withholding local government funds and state water and sewer assistance from municipal corporations that engage in certain water and sewer practices with respect to extraterritorial service.

The bill would generally deem a municipality as "noncompliant" if it charges higher rates for water and sewer infrastructure built out to neighboring political subdivisions. In addition to being a violation of Home Rule authority, the bill does not take into consideration the extra cost a municipality can incur when building out and maintaining water and sewer infrastructure to a neighboring local government.

During its fourth hearing before the House Public Utilities Committee, the committee accepted three amendments to the bill:

- *The first mandates a declaratory judgment, rather than a civil action, be certified to the Tax Commissioner to designate a municipal corporation as noncompliant before financial consequences are triggered.*
- *The second allows a municipality in an existing contract that charges higher extraterritorial water and sewer rates by the bill's effective date to continue charging those rates for the duration of the contract.*
- *The third creates a "safe harbor" for a municipality charging higher extraterritorial water and sewer rates so long those rates do not exceed 25% of the rates charged to similar property in the municipality.*

The amendments were supported by the Ohio Township Association, which has also previously testified in support of the bill. The League continues to oppose this legislation. While the amendments provide municipalities some additional defenses as well as clarify the bill language, municipalities still have the right under Home Rule authority to freely negotiate extraterritorial water and sewer rates.

- b. Mayor Roth has sent letters to all local representatives to voice opposition
- c. This topic was discussed at the Village caucus meeting at the last TMACOG assembly
- d. Reached out to local communities

- i. Fayette Administrator plans to bring it up to Fayette Council
 - ii. Oak Harbor has sent letter of opposition but no formal resolution
- e. Council would like to pass a Resolution opposing HB 163

2. Swissaire Estates agreement

- a. The current agreement with MLR Properties need to be reviewed to be prepared for the residential meter upgrade
 - i. Current agreement provided to Council.
- b. Current agreement illustrates responsibilities for each party
- c. Recommendation is to propose a master meter in a pit. Council would like to pursue a meter pit as soon as possible.
- d. Mr. Tedrow, Mr. Yackee, and Ms. Hoelzle became aware and investigated numerous unmetered water access points in Swissaire Estates.
- e. In regards to unaccounted water in the Village, Councilman Rochelle inquired if there is a formula to determine average water usage. This is difficult to estimate due to water usage habits, family size, etc. A general average could possibly be determined based on neighborhood and street. This could help determine strategy for meter replacement. Phase I is scheduled to begin in 2020 with streets in the area of: South of Chestnut, East of Main, West of Hallett, North of Airport Hwy.

Finance Committee Meeting
October 15, 2019 • 6:30 p.m.

Michael Rochelle
Dianne Westhoven
Paul Dzyak

- 1) Financial Document Review
 - a) September financial reports
- 2) 2020 Temporary Budget
 - a) For discussion at next Finance Committee meeting – November 11
- 3) Credit card compliance review
 - a) Required quarterly
- 4) Fire Contract - Township
 - a) Townships were receptive to a draft of proposed 2020 contract amounts. The amounts have been increased slightly to account for increases in equipment maintenance and payroll.
- 5) Park Levy
 - a) 1.2 mill levy generate \$80.629, cost homeowner additional \$7.00 annually per \$100,000 home value.
- 6) 27th pay
 - a) 2020 will have 27 paydates
 - i) 1st paydate is January 2, 2020
 - ii) 27th paydate December 31, 2020
 - b) 2019 26th paydate December 19, 2019
 - c) 2021 will have 26 paydates
 - d) Recommend approval of 27th pay for salaried employees
- 7) Capital Improvement Plan – 2020-2024
 - a) Mrs. Harkey commented on trends, observations and funding gaps the CIP has exposed.
 - b) Included in the CIP are several items promoting Economic Development in Swanton. Specifically, the Downtown Revitalization Grant Program in which business owners will have the opportunity to apply for grant funding for façade improvements.
 - c) The plan also includes the replacement of failing equipment that is long overdue, costing the Village
- 8) Norfolk Southern – Local Discretionary Grant \$5,000
 - a) The Village can apply annually for this