

VILLAGE OF SWANTON

Council Meeting Minutes

January 11, 2020

7:00 p.m.

Prayer

Pledge of Allegiance

Roll Call:	Kathy Kreuz	Michael Rochelle
	Tony Stuart	Craig Rose
	J. David Pilliod	Dianne Westhoven

Motion made by Councilwoman Kreuz to elect Councilman Rose as President pro tempore of Council. Councilwoman Westhoven seconded. Roll call. ALL YES. Motion passed 6-0.

Motion to approve the agenda as presented made by Councilwoman Kreuz, seconded by Councilwoman Westhoven. Roll call. ALL YES. Motion passed 6-0.

Motion to approve regular Council December 14, 2020 meeting minutes made by Councilwoman Kreuz, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 6-0.

Committee of the Whole Report – Councilman Rose: no changes to appointment to standing committees; Rules of Council recommendation to approve as presented.

Councilman Rochelle made a motion to approve Rules of Council as presented. Councilwoman Kreuz seconded. Roll Call. Motion passed 5-1 (Councilman Pilliod voting no).

Councilman Rochelle summarized discussion of Finance Committee. No recommendation to change leaf and street lighting assessment at this point.

Old Business:

Second Reading 2020-XX: Amending Chapter 74 (Parking Generally) of the Codified Ordinances motion made by Councilman Rose, seconded by Councilman Rochelle. Roll Call. ALL YES. Motion passed 6-0.

Second Reading Ordinance 2020-XX: Amending Village Zoning Map by amending the zoning classification for 13950 Airport Highway within the Village of Swanton

- Presented in the Public Hearing in September
- Ordinances, not presented as emergencies, must have three readings on three different days
- Vote of passage is done via the third reading

Second reading Ordinance 2020-XX – Amending Village Zoning Map by amending zoning classification for 13950 Airport Highway within the Village of Swanton made by Councilman Pilliod, seconded by Councilman Kreuz. Motion Failed. 2-4 (Councilman Rose; Councilman Stuart, Councilman Rochelle and Councilwoman Westhoven voted no).

New Business:

Annual resolution declaring the intent to sell property via internet auction:

Councilman Rose moved to suspend the rules for Emergency Resolution 2021-XX: Declaring the Intent to Sell Property by Internet Auction in 2021 seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 6-0.

Motion declaring the Intent to Sell Property by Internet Auction in 2021 made by Councilman Rose, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 6-0.

2021 and 2022 Leaf Collection Agreement

- Current agreement with Lammon Brothers allows for renewal of two more years.
- 2020 rate: \$22,500
- Lammon Brothers proposed the same rate for the next two years, 2021 and 2022
- Discussed in Public Service Committee on November 23, 2020

Motion to approve two-year extension at current rate made by Councilman Rose, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 6-0.

Norfolk Southern construction agreement for Safe Routes

- Part of the Safe Routes to School project involves installing z-gates at the grade crossing on N. Main
- This will be in Norfolk Southern right of way
- An agreement is needed for Norfolk Southern to inspect and flag for the project

- Poggemeyer and Mr. Lehenbauer both reviewed the proposed agreement and have no issue

Motion to approve construction agreement with Norfolk Southern for Safe Routes to School project made by Councilwoman Westhoven, seconded by Councilwoman Kreuz. Roll Call. ALL YES. Motion passed 6-0.

Contract agreement amendment

- There were loose ends related to Business Alley project
- This increased the engineering agreement by \$8,302.50 for a total of \$57,602.50
- Since it is over \$50,000 a motion to approve paying bill is necessary

Motion to approve contract agreement amendment made by Councilman Rochelle, seconded by Councilman Rose. Roll Call. ALL YES. Motion passed 6-0.

Administrator Report:

1. COVID-19 pandemic related topics
 - a. Continue with weekly meetings with Toledo Lucas County Health Department and monthly Fulton County Health Department
 - i. Main topic includes rollout of vaccines
2. Planning Commission
 - a. Did not meet in January due to no agenda items to discuss
 - b. 2019 vs. 2020
 - i. Permit information summary; details in Dropbox

Item	<u>2019</u> Permits Issued	<u>2020</u> Permits Issued
Accessory structure	3	9
Residential addition	7	3
New Commercial:	0	2
Deck	5	3
Single Family Dwelling	5	3
Fence	15	23
Pool	6	10
Shed	6	3
Sign	16	19

3. Fulton County Regional Planning Representative
 - a. Mrs. Hoelzle has been the appointed rep from Fulton County Regional Planning Commission
 - b. Would like to continue if Council wishes

4. Village Voice
 - a. Winter 2021 Edition went out
 - b. Please spread the word to subscribe

5. Project Updates
 - a. Safe Routes to Schools
 - i. Construction agreement discussed under New Business
 - ii. Intention is to bid out project later winter 2021
 - iii. Construction begin late Spring 2021
 - b. Beard Pavilion
 - i. Bids due on January 13
 - ii. Many questions submitted
 - iii. Hopefully for a good turnout of submitted bids
 - c. Project 8 & 9 Sewer Separation
 - i. Working on final design
 - ii. Question from resident regarding flooding in rear yard
 1. This is private property so it may depend on actions taken by the resident to alleviate issues
 - d. Master Plan WRRF
 - i. Research and analysis will begin soon
 - e. RFP: Zoning Code Update
 - i. RFPs due Monday January 11
 - ii. Three firms reached out with questions
 - iii. Will update at meeting

6. Postcards- wipes in pipes
 - a. Will continue to educate why wipes can cause damage to pipes
 - b. Postcards sent to properties on Black Canyon and Valleywood area
 - c. Will also work on postcards in the Munson/Dodge area

7. 2020 Q4 Utility Reports
 - a. In Dropbox are 2020 Q4 utility reports for your review

Personnel:

Hiring

- a. Water Resource Recovery Facility Operator
- b. Interviewed candidates, would like to offer position to Brice Nemire

Move to approve hiring of Brice Nemire as full-time Water Resource Recovery Facility Operator, at \$17.00/hour contingent upon a successful completion of pre-employment background check and drug screen. Employment will be effective January 24, 2021. Mr. Nemire will have a one (1) year introductory period. Mr. Nemire will accrue sick leave in accordance with policy. Mr. Nemire is entitled to personal leave in accordance with policy. Mr. Nemire will be granted 80 hours of vacation leave upon hire. Mr. Nemire will be required to obtain an Ohio EPA certification: wastewater operator I, within 15 months of hire made by Councilman Rochelle, seconded by Councilwoman Kreuz. Roll Call. ALL YES. Motion passed 6-0.

Removal from roster

- c. Jason Carte, no longer holds a Firefighter I certification and has been inactive on the SFRD roster
- d. Formal documentation that a letter was sent regarding separation

Motion to remove Mr. Carte from roster made by Councilman Rochelle, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 6-0.

Rescind hire to Ben Parker

- e. Mr. Parker did not accept the official offer for Public Works & Utilities Laborer
- f. Notation needed for record purposes

Motion to rescind offer to Mr. Parker made by Councilman Rochelle, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 6-0.

Administrative assistant, Utility Billing Clerk Chris Zysek submitted her letter of resignation effective January 22, 2021.

Motion to accept resignation of Ms. Zysek made by Councilman Rochelle, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 6-0.

Public Comment:

1. Jordan Salkil wishes to address Council regarding exclusive franchise of waste/recycling hauler for residential properties. He stated he does not agree with limiting choices and

feels Republic has a monopoly on refuse pickup in the Village. His trash can was destroyed by Republic, however the issue has since been rectified. He would also like to utilize a smaller refuse company rather than a big corporation.

2. Historical information regarding waste and recycling hauling within the Village of Swanton
 1. Ordinance 74-21 established garbage and refuse collection under supervision of Public Service
 2. I spoke to Mary Smith, in the Police Division, who is a long time employee and she indicated the Village had garbage bags for sale at the Municipal Building
 - a. Residents would purchase garbage bags and then the Village garbage truck would pick up said bags
 - b. One of the issues, over time, became the cost of maintenance of equipment and time associated with pick up
 3. Ordinance 88-41 is first ordinance I could find referencing an exclusive franchise agreement for refuse collection by an outside third party
 - a. Mrs. Smith indicated that bags were still available for purchase, at the beginning of third party pick up, and residents only bag for said bags
 4. Current language in the Village of Swanton Codified Ordinances
 - a. § 50.02 *CONTRACT TO BE GRANTED BY COUNCIL.*
 - b. *The Council shall by separate ordinance, grant the rights and privileges of an exclusive contract for the hauling of refuse from residential units within the village. No person, firm, partnership, association, corporation, company or organization of any kind shall engage in the business of collecting and hauling refuse from residential premises within the corporate limits of the village unless authorized by contract by the village. Industrial and commercial units are exempt from said ordinance.*
 5. Current agreement is still an exclusive franchise agreement
 - a. A Request for Proposals was posted on November 19, 2018 on the Village's website and sent to a handful of companies. The Village only received two proposals.
 - b. Village Council reviewed the proposal and discussed the agreement with Republic Services matter at their meetings: Jan 14, Feb 11, Feb 25, Mar 25, Apr 8, May 13, and May 25., 2019
 - c. Swanton Enterprise has also covered the waste/recycling contract in their newspaper
 6. Benefits of exclusive franchises include but are not limited to

- a. Uniform pricing at a reduced rate
- b. Reduced truck traffic and in turn prolonged street life
- c. Reduced greenhouse gas emissions.
- d. The Village of Swanton is able to negotiate a reduced rate and lock in those rates for multiple years.

Motion to enter Executive Session at 7:49 p.m. to discuss the purchase of property for public purpose and to consider the sale of property at competitive bidding made by Councilman Rose, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed. 6-0.

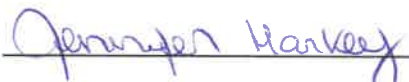
Mayor called Council Meeting back in to order at 8:14 p.m. Roll Call.

Adjourn:

Motion to adjourn meeting at 8:14 p.m. made by Councilman Rose, seconded by Councilwoman Westhoven. Roll Call. Motion passed 6-0.



Neil Toeppe, Mayor

Attest: 

Jennifer Harkey,
Fiscal Officer

Committee of the Whole January 11, 2021 • 6:00 p.m.

1. Appointments to Standing Committees of the Swanton Village Council for 2021
 - a. List of members from 2020 below:
 - i. **Finance Committee**
 1. 2020 Members
 - a. Councilman Rochelle (chair)
 - b. Councilman Stuart
 - c. Councilwoman Westhoven
 - ii. **Water and Sewer Committee**
 1. 2020 Members
 - a. Councilman Stuart
 - b. Councilman Rose (chair)
 - c. Councilman Pilliod
 - iii. **Public Safety**
 1. 2020 Members
 - a. Councilwoman Kreuz (chair)
 - b. Councilman Rochelle
 - c. Councilwoman Westhoven
 - iv. **Public Service**
 1. 2020 Members
 - a. Councilman Rose
 - b. Councilman Pilliod (chair)
 - c. Councilman Kreuz

The consensus of the committee is to approve the committee members as presented for 2021.

2. Rules of Council review
 - a. Annual review of Rules of Council
 - b. Please see redline version

<i>More Discussion Needed</i>	YES	NO	If yes, resume when:
<i>Decision/Recommendation</i>	YES	NO	No Decision Needed
<i>Decision Details/Comments: Councilman Rochelle made recommendation to approve.</i>			

Councilman Rose is in favor of the revised rules; It clearly outlines who determines the agenda, time and place of meetings. Councilman Pilliod would like to keep the rules as they are with no revisions.

Finance Committee January 11, 2021 • 6:15 p.m.

Michael Rochelle (chair)
Dianne Westhoven
Tony Stuart

- 1) Election of a 2021 chairperson

Councilwoman Westhoven nominated Councilman Rochelle as 2021 chairperson.
Councilwoman Kreuz seconded the nomination.

- 2) Financial Document Review
 - a) November and December (draft) financial reports
- 3) Street Light and Leaf Assessment update
 - a) New assessment amounts received in 2021
 - b) Will cover substantially all costs (less 1/15th)
 - i) Leaf assessment \$20,400, cost (less 1/15th) \$21,015
 - ii) Light assessment \$52,700, cost (less 1/15th) \$54,063
 - c) Will monitor throughout 2021 and make recommendation for 2022 legislation

1. Election of a Chairperson for 2021
Councilman Rose nominated Councilman Pilliod as chairperson.
2. Storm water utility
 - a. Discussion on the storm water utility charged to properties
 - b. Per the Codified Ordinances, this is a separate fee from water and sanitary service charged to properties
 - c. I, along with Mr. Geise's help, surveyed various communities throughout the State of Ohio regarding storm water charges
 - i. Out of the 22 communities who responded
 1. 14 charge a separate storm water utility
 2. Two (2) considering implementing this charge
 3. One (1) has a charge for CSO (combined sewer overflows)
 4. Five (5) do not charge any sort of fee for storm water
 5. Please see Dropbox for detailed responses
 - d. Councilman Pilliod would like to address this charge

§ 54.04 RATE STRUCTURE.

- (A) A storm water service charge shall be billed monthly to the owner of each and every lot and parcel of land within the village that contains impervious area and contributes directly or indirectly to the storm water system of the village. This charge is necessary to pay for the repair, replacement, planning, improvement, operation, regulation and maintenance of the existing and future village storm water system. This charge is not related to water and/or sewer service and applies whether or not the premises are occupied. Property owned by the village shall be exempt from such charges.
- (B) All properties having impervious area within the village will be assigned an Equivalent Residential Unit (ERU) or a multiple thereof, with all properties having any impervious area receiving at least one ERU as follows:

§ 54.05 STORM WATER ONLY ACCOUNTS.

Storm water only accounts are properties that do not utilize water and/or sanitary sewer services but do contain impervious area or hard surface and contribute directly or indirectly to the village's storm water system as determined by the Administrator. A copy of every permit issued by the village for new construction that does not utilize water and/or sanitary sewer services shall be reviewed by the Village Administrator for a determination of whether or not storm water service charges apply.

Mrs. Hoelzle stated there is a potentially a small adjustment available for properties that qualify. Qualifying land improvements include a retainage/detention pond or open channel maintenance or a swale.