

# RECORD OF PROCEEDINGS

## VILLAGE OF MCCONNELSVILLE COUNCIL

### REGULAR SESSION

Held: November 7, 2017

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The Village of McConnelsville convened in regular session from 6:00 P.M. to 7:49 P.M. in the McConnelsville Village Council Chambers. Mayor John W. Finley called the meeting to order with the following members and visitors present:

Councilman Tom Bragg	Present
Councilman Darrell Newton	Present
Councilman Terry Robison	Present
Councilman Mark Dille	Present
Councilwoman Michele Blackburn	Present
Councilwoman Diane Offenberger	Present

**EMPLOYEES:** Patrolman Eugene Hill, Fiscal Officer Ellen M Henry, Village Administrator John Thompson, and Solicitor David Tarbert

**VISITORS:** Jay Cordray, Duane Jago, Beth Jago

#### **Invocation**

Invocation given by Mayor John W. Finley.

#### **Pledge of Allegiance**

Lead by Mayor John W. Finley.

#### **OLD BUSINESS**

##### **Minutes of October 17, 2017**

Councilman Newton made a Motion to approve the minutes of the previous meeting, seconded by Councilwoman Offenberger.

Votes were: Councilman Tom Bragg, Aye; Councilman Darrell Newton, Aye; Councilman Terry Robison, Abstain; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Diane Offenberger, Aye.

#### **NEW BUSINESS**

##### **Bills of the Village**

Councilman Robison made a Motion to approve the bills, seconded by Councilwoman Blackburn.

Votes were: Councilman Tom Bragg, Aye; Councilman Darrell Newton, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Diane Offenberger, Aye.

##### **Monthly Financial Reports and Bank Reconciliation**

Council signed off on the October Monthly Financial Reports and Bank Reconciliation.

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#### **Public Participation**

Mr. Duane Jago stated he would like to make a comment before he gets in to what he is here to address Council for. Mr. Jago questioned if Council was doing anything for Ginny Bond's retirement. Mr. Jago feels she does a lot in the community and thinks she should be recognized for it.

Mayor and Council concurred that Mrs. Bond has done and continues to do a lot for our community.

Mr. Duane Jago then addressed Council regarding the vacant water tap fees. Mr. Jago stated he sent an e-mail to the Mayor and gave a list of questions that he would like answered this evening.

Mayor Finley noted that all of council received a copy of his e-mail in their packets.

Mr. Jago stated he has contacted a number of people in the community about the vacant tap fee; such as, Main Street Church of Christ, Napa, the Library, Dick and Debbie Wilson; and, Don and Linda Mosier. All of these people are affected by this fee.

Mayor Finley noted he is paying for two or three of these fees himself.

Mr. Jago requested each Council Member to respond to his questions.

Mayor Finley stated he did not want to grand stand each member but any of Council could speak out on the subject that would like to.

Councilman Newton stated he has been upset about our ordinance ever since he has sat on Council. Councilman Newton stated he does not like the vacant charge; nor, the three percent yearly increase. Councilman Newton thinks the committee should review this ordinance.

Councilman Dille stated he understands Mr. Jago's frustration; however, his father-in-law had to pay an amount every month for a tap he was not using in Zanesville. Councilman Dille stated he agrees the ordinance needs looked at; but, does not feel we can take the fee completely out.

Mr. Jago stated he feels it should be the property owner's decision on whether or not he wants to have the tap removed or not; with the understanding they would have to pay the retap fee.

Councilman Bragg stated if we make these changes, we will have to restructure the tap fees that we currently have; and, that could possibly double them. Councilman Bragg stated he did not realize the three percent increase would affect the vacant rate.

Councilman Robison stated he feels the three percent annual increase should be looked at, there currently is no opt out of it at all. Councilman Robison stated he understands we have to raise rates to provide a service and to keep everything maintained; but, if there is a year that we don't have to increase he feels we should have an opt out of charging it. Councilman Robison stated he thinks there are some people being charged a vacant rate and others are not being charged.

Village Administrator Thompson stated it was the timing of the ordinance; some were grandfathered in.

Councilman Robison stated he does not think it is fair.

Village Administrator stated right and fair is a point of view.

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Mr. Jago asked for a time line when the meters were installed; or, when this change went into effect.

Village Administrator Thompson stated it went into effect when the current Ordinance was written.

It was noted the date was July of 2013.

Mayor Finley stated we have between eight and nine hundred residents paying a water bill each month. Those living out of town pay at a higher rate. Mayor Finley stated if you own a lot in the village with a water and sewer tap, it is worth more than one without a tap. Mayor Finley stated everyone shares in the cost of the water production for the village; it was cheaper when we produced our own water; but, now we purchase it through Malta so we have to pass that cost on to the customers. Mayor Finley stated if we remove the vacant rate, we will have to recalculate and add the extra expenses to the other paying customers. If Council votes to change this, they will have to determine where the additional monies are going to come from so the village doesn't go in the red; we may have to raise other rates or fees to supplement this loss of income.

Councilman Bragg noted that whatever monies we collect on water can only be spent on water and the same with sewer.

Councilman Robison stated he wasn't sure if everyone understands the agreement with Malta. It is done on a percentage; if we use eighty percent of the water that is produced, we pay eighty percent of their expenses that month. That includes loans, utilities, wages, etc., plus we have to maintain our own distribution system. Councilman Robison wanted the residents of McConnelville to understand that we are paying for more than just water and a thirty year agreement was signed with no out.

Councilman Newton questioned if the curb box could be removed.

Village Administrator Thompson stated they can; but, until the Ordinance is changed the fee cannot be stopped.

Councilman Bragg stated he feels the Public Utilities Committee needs to meet and review this ordinance.

Mayor Finley turned the matter over to the Public Utilities Committee for review. Mayor Finley stated that at the first of the year a new committee will be established, so hopefully this can be taken care of within the first quarter of the year.

Councilman Bragg stated he feels the committee should take its time on this, it could take some time reviewing it and getting it written correctly.

Mayor Finley noted that after the three readings of the ordinance it would not take effect until thirty days after the third reading. Mayor Finley stated there is no way it can be done immediately; the time line would be around two or three months.

Councilwoman Offenberger stated she was Chairman of the current committee and she will start meetings immediately.

#### **Mayor John W. Finley**

Mayor Finley reported the cut-off date for purchases is December 1<sup>st</sup>. A Purchase Order must be in place prior to making any emergency purchase after that date. Mayor Finley reported we are clamping down on the purchase orders to abide by the State's ruling.

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Mayor Finley reported he is in receipt of a letter from Columbia Gas regarding their increase in rates and why. Councilman Robison will place on the Village Website.

Mayor Finley read the Water Usage Report from the Water Clerk. (see attached)

Mayor Finley reported October Parking Meter receipts as follows: Fines - \$285.00; Meters - \$1,545.19 for a total of \$1,830.19. Mayor Finley reported October Income Tax receipts as \$38,074.30. Mayor Finley reported October Mayor's Court receipts as follows: Village - \$4,133.00; Morgan County Treasurer - \$49.65; Treasurer of State - \$1,504.35 for a total of \$5,687.00.

Mayor Finley stated he receives a listing of the Officer's tickets each month if any of council would like to review.

Mayor Finley reported the office has been contacted by Leslie Robbins and the Christmas Parade will be on November 24, 2017. They will start at the Kiwanis-Jaycee Park at 6:00 P.M., come across the Veteran's Memorial Bridge and end at the Commons. The Key Club will be accepting letters for Santa.

Mayor Finley noted the Veteran's Day Parade will be held Saturday at 10:00 A.M.

#### **Ordinance 17-17**

Mayor Finley introduced Ordinance 17-17, AN ORDINANCE TO AUTHORIZE THE SOLICITOR TO JOIN A COALITION OF MUNICIPALITIES RETAINING SPECIAL COUNSEL FOR PURPOSES OF INITIATING LITIGATION TO CHALLENGE THE CONSTITUTIONALITY OF AMENDMENTS TO CHAPTER 718 OF THE OHIO REVISED CODE RELATING TO MUNICIPAL INCOME TAX, AND DECLARING AN EMERGENCY.

Councilman Bragg made a Motion to suspend the rules requiring three separate and distinct readings and place on emergency measure, seconded by Councilman Robison.

Votes were: Councilman Tom Bragg, Aye; Councilman Darrell Newton, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Diane Offenberger, Aye.

Councilman Dille made a Motion to adopt Ordinance 17-17 on emergency measure, seconded by Councilman Newton.

Votes were: Councilman Tom Bragg, Aye; Councilman Darrell Newton, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Diane Offenberger, Aye.

Ordinance 17-17 was duly adopted.

#### **Ordinance 17-15**

Mayor Finley introduced Ordinance 17-15, AN ORDINANCE AUTHORIZING ANNEXATION OF 2.343 +/- (MORGAN LOCAL SCHOOL DISTRICT EAST PRESCHOOL PROPERTY) EFFECTIVE JANUARY 1, 2018.

Councilman Newton made a Motion to pass Ordinance 17-15 on the first reading, seconded by Councilman Bragg.

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Votes were: Councilman Tom Bragg, Aye; Councilman Darrell Newton, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Diane Offenberger, Aye.

Ordinance 17-15 passed on the first reading.

#### **Ordinance 17-16**

Mayor Finley introduced Ordinance 17-16, AN ORDINANCE AMENDING THE APPROPRIATIONS FOR THE CURRENT YEAR.

Councilman Robison made a Motion to suspend the rules requiring three separate and distinct readings and place on emergency measure, seconded by Councilwoman Blackburn.

Votes were: Councilman Tom Bragg, Aye; Councilman Darrell Newton, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Diane Offenberger, Aye.

Councilman Bragg made a Motion to adopt Ordinance 17-16 on emergency measure, seconded by Councilman Dille.

Votes were: Councilman Tom Bragg, Aye; Councilman Darrell Newton, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Diane Offenberger, Aye.

Ordinance 17-16 was duly adopted.

Councilman Newton made a Motion to allow Fiscal Officer Hemry to pay the \$1,000 to the Attorney, seconded by Councilman Robison.

Votes were: Councilman Tom Bragg, Aye; Councilman Darrell Newton, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Diane Offenberger, Aye.

The Motion carried.

#### **Ordinance 17-18**

Mayor Finley introduced Ordinance 17-18, AN ORDINANCE AMENDING ORDINANCE 16-20 ESTABLISHING PARKING REGULATIONS AND PROVIDING AN EXEMPTION FOR DISABLED VETERANS.

Councilman Bragg made a Motion to waive the three reading requirement, seconded by Councilwoman Offenberger.

Votes were: Councilman Tom Bragg, Aye; Councilman Darrell Newton, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Diane Offenberger, Aye.

Councilman Bragg made a Motion to adopt Ordinance 17-18, seconded by Councilwoman Offenberger.

Votes were: Councilman Tom Bragg, Aye; Councilman Darrell Newton, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Diane Offenberger, Aye.

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Ordinance 17-18 was duly adopted and will go into effect in 30 days.

#### **Village Administrator John Thompson**

Village Administrator Thompson reported the outfalls on the sewer project is now plugged; we are still having an excess amount of water coming in during the rain events. It is producing more water than we would like to see; therefore, we are evaluating it and may have to do some more sewer separation.

Village Administrator Thompson reported he is getting ready to purchase radios for the crew. We will still be able to use the two base units in the office and just purchase seven basic hand held devices at a cost of around \$8,000.

Mayor Finley questioned if it would be easier to go with cell phones?

Councilman Bragg noted the charge of the radios would be a one-time expense and cell phones would have a monthly on going charge.

Village Administrator Thompson stated when a situation is going on, everyone with a radio can hear, where if it were on the cell phone the conversation would be limited.

Village Administrator Thompson reported he is getting ready to start on the Asset Management. He has spoken with an Engineering Firm and will be meeting with them; he already has talked to the suppliers of the equipment. The cost of the equipment and training will be around \$15,000. Village Administrator Thompson is looking to attend a seminar in the middle of November or first of December.

Village Administrator Thompson reported Foreman Bragg has given him information regarding the issues we are having with our leaf vac. We need to look at purchasing a new one; however, it may not be before this season is over. Village Administrator Thompson does not have a price on this as of yet.

Village Administrator Thompson reported we need to be looking for a new Dump Truck; possibly an F750 Ford or one similar to that model. There is a Freightliner Dealer in Zanesville; they are looking at trucks under 26,000 GVW.

#### **Councilwoman Offenberger left the Meeting at 7:10 P.M.**

Mayor Finley reported the Chief of Police's brother is critically ill and in the hospital; the Chief has been there a lot. Mayor Finley sends prayers for the Chief and his family.

Councilman Robison stated Officer Hill has assisted the Squad on a couple of run's this week. Councilman Robison thanked Officer Hill and stated it was very much appreciated.

Mayor Finley reported the Police Department is working very hard. In Court this evening, there were three more cases our K9 and Officer were successful for the arrest and conviction of. Mayor Finley stated he is very proud of our K9 Officer and our Drug Dog Atlas. Mayor Finley stated all of our officers are working hard and diligent to keep our town safe.

#### **Recreation & Buildings Committee**

Councilman Dille reported the Park Committee met last Thursday evening; Malta was represented in the meeting also. A concerned parent, Amanda McCoy was here and would like to be on the Park Board.

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Councilwoman Blackburn reported there is another Park Committee Meeting scheduled for November 15<sup>th</sup> at 6:00 P.M. in McConnelsville Council Chambers. Councilwoman Blackburn noted the two members left on the Park Board are Shirley Woodward and Phil Palmer.

Councilman Dille stated he would like to get a copy of the Park Board's by-laws.

Councilwoman Blackburn reported Ms. McCoy had a lot of good points; and she, herself is searching for people to bring to the committee. Councilwoman Blackburn stated it was a good meeting; Councilman Williams from Malta was in the dark as he had never heard much on the Park prior to the meeting.

It was noted the Joint Utilities Meeting is scheduled for this Thursday evening at 7:00 P.M. in McConnelsville Council Chambers. We will be giving them the budget for the sewer plant; and, we will receive the one for the water plant.

#### **Streets & Alley Committee**

Mayor Finley reported the crew is working hard on patching the streets.

#### **Public Utilities Committee**

Councilman Bragg scheduled a committee meeting for Thursday November 9<sup>th</sup> at 8:00 P.M. in Council Chambers.

#### **Other Business**

Councilman Bragg noted the next Council Meeting fell on the same evening as the Fire Department's Century Club Banquet and made a Motion the Council Meeting be changed to Wednesday, November 22<sup>nd</sup> at 6:00 P.M., seconded by Councilman Newton.

Votes were: Councilman Tom Bragg, Aye; Councilman Darrell Newton, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye.

The Motion carried.

#### **Executive Session**

Mayor Finley requested Council to go into Executive Session to discuss personnel; with no action being taken when coming out. The Village Administrator, Solicitor and Fiscal Officer were invited to the Executive Session.

Councilman Bragg made Motion to go into Executive Session, seconded by Councilman Dille.

Votes were: Councilman Tom Bragg, Aye; Councilman Darrell Newton, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye.

Council went into Executive Session at 7:25 P.M.

Councilman Robison made a Motion to come out of Executive Session, seconded by Councilman Newton.

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Votes were: Councilman Tom Bragg, Aye; Councilman Darrell Newton, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye.

Council came out of Executive Session at 7:48 P.M.

#### **Adjournment of Meeting**

Councilman Bragg made a Motion to adjourn, seconded by Councilwoman Blackburn.

Votes were: Councilman Tom Bragg, Aye; Councilman Darrell Newton, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye.

The meeting was adjourned till November 22, 2017 at 6:00 P.M. at the McConnelsville Village Council Chambers.

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John W. Finley  
Mayor

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Ellen M. Henry  
Fiscal Officer

All formal actions of the Village of McConnelsville concerning and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.