

# Village of Creston Council

## Meeting Minutes

Monday, November 7, 2011 @ 7:30pm @ the Muni. Bldg.

The Village of Creston Council met Monday, November 7, 2011 @ 7:30pm @ The Muni. Bldg.

**Mayor Armentrout** called the meeting to order.

### ROLL CALL:

**Members present:** Cm. Thomas Barrett, Cm. Lyle Kalina, Cp. Patrick Stefano, Cm. Keith Studer, Cw. Gerry Mills, Cm. Marlin Hostettler, Supt. Jason Flory, Water/Sewer Supt. Marcus Allen, Tax Assistant Linda Castella, Mayor William Armentrout, Solicitor Allan Michelson and Clerk/Treas. Pam Hostetler taking the meeting minutes.

**Others present:** Bob Morehead reporter from The Post, Tom Phillips, Laura Croftcheck, Kaylene Hostettler, Frank Haight, Dan Murray and Gerald Higgins

**Mayor Armentrout** asked for approval of the October 3, 2011 meeting minutes.

**A motion was then made by Cp. Patrick Stefano and 2<sup>nd</sup>. by Cm. Keith Studer to approve the October 3, 2011 meeting minutes.**

**Roll Call**

**6 for, 0 against**

**Motion carried**

**Mayor Armentrout** asked for approval of the September Finance reports.

**A motion was then made by Cp. Patrick Stefano and Cm. Keith Studer to approve the September 2011 Finance reports.**

**Roll Call**

**6 for, 0 against**

**Motion carried**

**BOPA member Frank Haight** was present to bring a recommendation from BOPA concerning WWTP project engineering proposal.

Frank explained that our current plant is 45 years old and was built in 1966. New plants are built to last approximately 30 to 40 years. Once they hit this age EPA requirements have changed considerably, technology has improved, maintenance issues arise and parts are hard to find.

Our current plant has served us very well but we do have some issues with it handling high volume rains and also a problem with the filters.

EPA has come in and made recommendations for upgrades to our current plant by year 2015.

The Board has looked at doing an individual project upgrade such as the Screening Improvements project to name one but found out that it didn't make sense to do multiple small upgrades vs. a complete plant upgrade.

The advantages of rolling into a WWTP project are:

- All technology works together, it won't be pieced together
- We will be proactive instead of reactive
- We will meet the new EPA requirements
- Larger projects score more points to receive grants and WPCLF & ARRA (Stimulus) monies
- Bidding savings on one project instead of two
- Construction observation savings on one project instead of two
- Advertising for one project instead of two
- Construction mobilization savings on one project
- Records drawings and bid bond for one project instead of two

Richard Heyman was present at a previous BOPA meeting and Council meeting as well to answer any questions that we might have had. The BOPA would like to move forward with the WWTP project.

**A motion was made by Bm. Frank Haight and 2<sup>nd</sup>. by Bp. Jeff Hostetler to approve the engineering contract with Poggemeyer Design Group for \$173,500.00 for the WWTP project and recommend to Council.**

Frank also explained that the Oxidation Ditch plant that we are proposing handles high flows with ease, eliminates filters and can be easily expanded if need be in the future. There is grant money out there and possibly stimulus money. If we don't act now maybe in a year it won't be available.

Marcus explained that this new plant would be easy to run and explained that every year we try to implement some sort of improvement to be proactive.

A short discussion was held.

**A motion was then made by Cm. Keith Studer and 2<sup>nd</sup>. by Cm. Thomas Barrett to approve the engineering contract with Poggemeyer Design Group for \$173,500.00 for the WWTP project.**

**Roll Call                      5 for, Cm. Marlin Hostettler against                      Motion carried**

**Cm. Marlin Hostettler** requested that Frank and Marcus stay until the meeting is over because he had some questions for them. Mayor Armentrout advised Marlin

to ask the questions now because Marcus has been here all day and he is allowed to go home.

Marlin asked what the status is on cleaning out the ditch by my place down to Killbuck creek. Jason explained that the Village can't clean out anything that is not Village property. Laurilla's surveying has surveyed that and we need to get with him to show us where the stakes are. In the past we have cleaned out way further than we should have for you. Marcus explained that the ditch is not overflowing, Killbuck creek is clogged and the water is running backwards into the ditch when there are heavy flows. Bm. Frank Haight explained that the County needs to come and clean out the creek but that won't happen because they say they don't have the money. Jason stated that the Village doesn't own that Marlin and Mrs. Musgrave does. A discussion was held and it was decided that Jason and Marlin will meet with Laurilla on Wednesday, November 9<sup>th</sup>. @ 10:30am. if Laurilla is available.

**Clerk Treasurer/Tax Administrator Pam Hostetler and Tax Assistant Linda Castella** were present to explain that the state is proposing Centralized Municipal Income Tax Collection. Pam presented the following:

- Kasich and his administration want the state to take over Municipal Income Tax collection.
- Kasich's Ohio CPA's claim that there is a lack of uniformity among municipalities.
- Over 570 municipalities assess a Municipal Income Tax in our state. These municipalities are mandated to follow the Ohio Revised Code, so the uniformity issues are very small.  
For example: April 15<sup>th</sup> filing date vs. April 30<sup>th</sup> filing date, 2106 schedule deductions which includes travel deductions, etc.
- Kasich claims centralizing tax collection will create jobs but what about the mass number of jobs lost in collection companies such as CCA and RITA, not to mention the municipality in-house collection employee's jobs lost.
- We don't know how much municipalities will be charged for the state's centralized collection. Possibly 2% of collections.
- Creston has been able to bring the Muni. Income Tax collection in-house which has saved \$12,000 each year.
- Residents are able to call or come in and talk with the same two (2) people Linda Castella and myself every time. Residents can meet with us in person to ask questions, get help free of charge for Muni. Income Tax filing, etc. I believe Linda and I have a good rapport with the residents, employers and tax preparers.

- We all know how difficult it was dealing with an outside tax collection company. Just imagine working with the state, considering the magnitude of collecting \$4 billion dollars.
- Who better to keep track of the muni. Collections than the municipality itself.
- Council, you have been previously given information regarding this issue in your mailboxes. Tonight you have been given a sample resolution from another municipality that was passed and forwarded to our state representative and Kasich's office letting the state know that their municipality is against centralized Municipal Tax collection.
- Linda Castella, our Tax Assistant is present tonight to help me answer any questions that you might have or as always feel free to call the office if you have a question later.

Linda also noted that we won't know when we will get our distributions. The Business Gateway is already a problem now. Area code 44217 encompasses several counties so how will the state deal with that? Lt. Gov. Mary Taylor is pushing this stating it will make it easier for the businesses.

Pam asked Council to consider passing a resolution that would express the Village of Creston's opposition to centralized Municipal Income Tax Collection. State legislature will be in June of 2012 and we would like to ban together with all the other municipalities now and send a strong united message that we oppose this.

Solicitor Allan Michelson explained that he would like to write up a resolution tailored to Creston.

**A motion was then made by Cm. Marlin Hostettler and 2<sup>nd</sup>. by Gerry Mills to approve the Solicitor Allan Michelson to draw up a resolution opposing the state taking control of centralizing the Municipal Income Tax collection.**

**Roll Call**

**6 for, 0 against**

**Motion carried**

**Mayor Armentrout** addressed the following:

**1. Mayor's Monthly report:**

Total citations issued – 32

Total money received - \$3,501.50

Village received - \$1,975.00

Computer Fund - \$311.00

State received - \$1,032.00

Enforcement & Education - \$108.00

Drug Fund - \$0.00

Restitution to P. D. - \$75.00

OCJS – discontinued as of 7/1/09

**2. Mayor Armentrout** went over the October 2011 Maintenance report.

- Installed hot water heater at Police Station
- Installed cabinets at Police Station
- Winterized the Park water lines
- Made water tap at 105 S. Main Street
- Patched holes and finished chip and seal work around town
- Dug, formed and poured footers at the Cemetery
- Replaced two front tires on 2010 Crown Vic
- Replaced topsoil in Crestview behind curbs
- Prepared leaf pickup equipment
- Cleaned and checked out furnaces in the Village buildings

Gerry Mills asked what the water tap was for? Jason Flory explained that rumor has it that there will be a laundry mat put in but no one has come to the Village yet.

- 3.** Mayor Armentrout thanked the Community Center for putting on the Halloween dance and costume judging. Marlin thanked the Mayor for being a costume judge.
- 4.** Mayor Armentrout advised Council that it is their responsibility to think ahead about what you want to put in the Appropriations for the next year. Pam asked for your input, she gave you the current Appropriations a couple months ago so that you could put your ideas together for next year. If a project is in the Appropriations then it only has to be approved as a recommendation at the committee level and then goes straight to Council for their approval. If you don't have a project in the Appropriations then it has to go from a recommendation at the committee level to the Finance committee and then on to Council for their approval. By putting projects in the Appropriations it makes everything streamlined and less confusing. Pam and I will be finalizing the Appropriations on Wednesday so if you have anything you want to put in please contact Pam. A short discussion was held.
- 5.** Mayor Armentrout explained that he has been lax concerning the committee chairman's responsibility to give a year end review for his or her committee and also passing on any information or unfinished business to any new or remaining committee members for the next year. Please be sure to have this ready for year end. This is in your Rules of Council.
- 6.** Mayor Armentrout asked Council when they wanted the year end meeting. It was decided the year end meeting would be on Thursday, December 22, 2011 @ 7:30pm.

**Supt. Jason Flory –**

- 1.** A recommendation from Finance to purchase 25 tons of salt for no more than \$1,600.00.

**A motion was then made by Cm. Keith Studer and 2<sup>nd</sup>. by Cp. Patrick Stefano to approve the purchase of 25 tons of salt for no more than \$1,600.00.**

**Roll Call**

**6 for, 0 against**

**Motion carried**

**Solicitor Allan Michelson –**

1. Allan informed Council that he has filed the appeal on Jami Dabernig's unemployment case with the county and now is waiting on the state. There will then be a legal brief. This process will take awhile.
2. I have received Rails to Trails documents proposing to buy property with Rails to Trails funds and then the Trail to give the property to the Village. I have copies for Council. This needs referred to a committee. Mayor Armentrout passed it on to the Park's committee since eventually the Trail will become a county park.
3. You all have a sample resolution #11-7 Hazard Mitigation Plan which will protect people and property potentially affected by the natural hazards probable in the Village of Creston. I recommend that you adopt because if you don't then we won't be able to receive help. This will go to Safety committee when I get it back to you.

**Cp. Patrick Stefano –**

1. Park and Finance are recommending \$5,000.00 for new roof and siding for Pavilion #1 and new roof for the Open Pavilion for the 2012 Appropriations.

**A motion was then made by Cp. Patrick Stefano and 2<sup>nd</sup>. by Cm. Thomas Barrett to approve putting \$5,000.00 in Park Appropriations for the Pavilion #1 roof and siding and Open Pavilion roof.**

**Roll Call**

**6 for, 0 against**

**Motion carried**

**Cm. Lyle Kalina –**

1. Lands and Buildings committee wants to express our support of the continuation of Rails to Trails to Main Street.

**Cm. Keith Studer –**

1. I have a recommendation to give the Mayor authority to give up to a 3% employee anniversary performance raise beginning with January 2012 employee anniversaries.

**A motion was then made by Cm. Keith Studer and 2<sup>nd</sup>. by Cp. Patrick Stefano to approve giving the Mayor authority to give up to a 3% employee anniversary performance raise beginning with January 2012 employees' anniversaries.**

**Roll Call**

**6 for, 0 against**

**Motion carried**



progress made. Jason stated that it was all grease and that is out of our control. We can't control what people put thru those lines. Marcus stated that we find diapers, plastic, etc. Gerry Williams asked that Jerry be reimbursed for the hours spent to get sludge out of his basement. Jerry was asked if he had receipts. Most of it was time he spent cleaning. Jerry asked the Village to turn it into the Village Insurance. Mayor Armentrout stated that the Village is not liable but we can try to turn into insurance and we will contact our solicitor as well. Jerry Higgins was told to present something in writing to Pam Hostetler. Jeff told Jerry Higgins that we will definitely get back with him as we have updates.

Pam Hostetler stated that she has not received anything from Mr. Higgins so that she can present it to the insurance company. Mr. Higgins then produced a written request and gave it to Pam Hostetler.

**The Solicitor** advised Council that if the Village paid Mr. Higgins this is setting a precedence and he highly recommended that we follow Village policy and turn it into our insurance company.

**Cm. Marlin Hostettler-**

1. Bike rack is painted and ready. Dollar General Manager wants it put at the DG sign by Main St. A discussion was held as to where to place the bike rack. Jason advised everyone that he would have to check zoning rules and that we would need ok from the property owner not the store manager. Pam will get the property owner's name and number.
2. Line dancing is going good.
3. Santa's workshop is next.
4. Creston's Dollar General wants to oppose getting their liquor license. Solicitor Michelson advised Marlin that is in the control of the Department of Liquor Control. Village voted to not request a hearing.

**Cw. Gerry Mills –**

1. Pam have you received any request to pay back any inheritance monies that we have received. Pam replied no.

**Clerk/Treas. Pam Hostetler –**

1. Pam asked for a motion to approve the payment of bills and vouchers totaling \$59,765.93

**A motion was then made by Cm. Keith Studer and Cm. Thomas Barrett to approve bills totaling \$59,765.93.**

**Roll Call**

**6 for, 0 against**

**Motion carried**

