

Marengo Village Council

P.O. Box 310

Marengo, OH 43334

Minutes of the Council Meeting on December 14, 2016 at 7:00pm

Meeting was called to order by Mike Baker with council members Cherri Burwell, John Brent, Earl Bennett, Robert Beck, Ron Margraff and Beck Margraff present.

**Minutes:** Cherri Burwell moved to approve minutes as corrected Robert Beck seconds Motion passes.

**Bills:** Cherri Burwell moved to pay all bills but Bennett Distributing, John Brent seconds. Roll Call 6 yes 0 no. Motion passes. Cherri Burwell moves to pay Bennett Distributing, Robert Beck seconds. Roll Call 5 yes 0 no Earl Bennett abstains Motion passes.

**Public:** Lillian Whited came to ask the Council questions about the 1% income tax. Her questions included:

*How much would the village get from the tax?* Council/Mayor believes approx. \$35,000 to \$40,000.

*What will the income be used for?* The money will go into general fund and Council hasn't allocated the money at this time. Mike said some of the things may include hiring off duty cops, purchasing equipment and supplies for the village, as cost has come up, possible road repair, etc.

*Is any of the money going to wages and salaries?* The money goes into the general fund and some wages and salaries are paid out of the general fund, such as Mayor, Council.

*What is the cost for RITA to administer?* RITA cost is 3% of the money collected and \$500 upfront the Council believes.

*What levies have been voted on since 2011?* A property tax levy was put on once and the public voted it down. Council put on another property tax levy effective June 2015 and it passed. The County has decreased the amount of tax the Village receives and the Village needs income to continue to maintain and improve the village.

*Where was the notice of the public meeting posted for the 1% income tax?* Notice was posted in the Shoppers Compass and the Morrow Co Sentinel. Earl Bennett posted at the post office, bank, Bennett Distributing, Home and Fields.

*Why Council chose to do an additional income tax after property tax only passed by 2 votes?* Revenue generated from property won't be enough to cover expenses as they increase. 1% will generate enough income. Council is not planning at this time to remove property tax.

*Did Council go through Attorney General's office for 1% income tax?* Didn't need to because went through RITA.

*What law firm is the Village with?* Zelkowitz, Barry & Cullers, LTD.

*What is the possibility of having this tax repealed?* Mayor doesn't see possibility of that.

*If the property is owned by a landlord outside the village does that person have to pay the 1%?* Only on income from rental property.

Main Street Market and Deli business owner that is opening the store right next to Oasis came in. She asked several of the same questions Lillian had asked. Further questions were asked about the property tax and how much it expected to generate. Council said around \$10,000 but will be closer to \$2,000 due to reallocation from Morrow Co. Auditor. Money generated from taxes on gas has decreased as well.

Mayor discussed that the Village is zoned and different permits are required to have a business in Marengo. Paperwork will be dropped off at the business. There was discussion that most villages have an income tax. There was discussion on annexing more properties into the village and how far sewer lines go, which is to Marengo Fab, Dollar General, Fire Department, just outside north of town. There was discussion on the misconception that all the money is going to the park, but the truth is the park is being mostly funded by various grants. There was discussion on applying for grants for roads and Council will continue to apply for road grants.

**Old Business:** Cherri Burwell believes that the Village should participate in the Morrow County Waste Program and Sewer Revolving Loan Fund that was discussed at the November meeting. The cost is \$500 fee in the beginning and does not require additional funds in the future. Attorney thinks it is a great idea to join. Cherri Burwell moves to join the Morrow County Waste Program/Sewer Revolving Loan Fund and pay the \$500. John Brent seconds. Motion passes.

Village needs to assign a representative for the fire board. Council discussed the requirements for fire board representative and fire board members. Mike informed the Council that the goal of Big Walnut Joint Fire District is all townships have the same millage. Robert Beck moves to pass Resolution 2016-85 to assign fire board representatives. Cherri Burwell seconds. Yes 6 No 0 Motion passes.

#### **New Business:**

**Appropriations:** Hilary reviewed 2016 amended appropriations and 2017 temporary appropriations with Council. Earl Bennett moves to suspend the rules requiring multiple votes and declare an emergency for appropriations to go in effective immediately. Cherri Burwell seconds. 6 yes 0 no motion passes. Earl Bennett moves to approve adopt Ordinance # O-2016-12-14 Cherri Burwell seconds. 6 yes 0 no motion passes. John Brent moves to approve resolution 2016-12 for 2017 appropriations Cherri Burwell seconds. 6 yes 0 no motion passes.

**Zoning:** Ron Margraff, Mike Baker and Joe Clase met with fire department about certificate of occupancy. Fire Department had some suggestions and Joe is working on creating letters letting businesses know about zoning requirements and starting the groundwork of businesses registering with the Village through a zoning permit. Permit will include a check off list for the business and will be used for new and existing businesses.

**Sewer:** Hilary is still working on getting info on plugging sewer. Ross Porter spoke with Hilary and notified the village that he has changed the usage from 4 to 2 at the property located at 9 N. West St. He states it is now a two bedroom apartment. Council discussed requirements for a property owner to change sewer usage. Property owner would need to make a formal request to change sewer usage. Council discussed sewer rates are set by equivalent dwelling units, based

on a state chart. Council also discussed until the loan is paid off, need to stay with equivalent users as original and not changing usage. Council discussed property owners will need to do a written request to change number of units and certificate of zoning. Council discussed property owners need to comply with all zoning requirements, declare what the building is going to be used for, etc. Council discussed property owners that don't have a zoning permit at this time and the Village has the right to request a zoning permit and the zoning permit process and zoning. Council discussed using state occupancy permit as a way to determine sewer rates.

**Fiscal Officer Evaluation:** Robert Beck moves increase Hilary's to \$900 a month starting Jan. 1, 2017 John Brent. Motions pass. Hilary thanked the Council for their support and kind words.

**Property:** Council discussed the piece of property that is located close to the mill discussed at the previous meeting owned by Florence Snyder. Earl Bennett talked with the property owner and she is looking at selling the property for \$1,100. Mike suggests the Village put an offer on the property. Council discussed reasons for purchasing the property. Mike had heard the Bennington Twp. has an agreement that Big Walnut Twp. would not annex any property, he is getting more information. Council discussed the process of annexing the property and cost. Council discussed the advantages of purchasing the property. It could increase annexing possibilities in the future. Ron Margraff moves to offer Florence Snyder \$1,100 for the property John Brent second. Roll Call: Ron Margraff Yes, Becky Margraff Yes, Robert Beck Yes, John Brent Yes, Earl Bennett Abstains, Cherri Burwell No. Motion passes.

**Zoning:** Council discussed Mrs. Walker's car port and zoning. Mrs. Walker's put in an application and it was rejected because it does not meet zoning requirement. She was given an application to appeal. Mrs. Walker looks at as a temporary structure and doesn't require zoning requirements. Council discussed zoning requirements and structure. Mike is asking for variances on zoning for Mrs. Walker's car port so that she can put up the car port. John Brent moves to allow Mrs. Walker to put up her car port. Motion dies.

Meeting ended.