

ENTITY NAME: VILLAGE OF MILLERSBURG

BOARD NAME: MILLERSBURG VILLAGE COUNCIL

TYPE OF MEETING: Regular

VOTING SESSION: Yes

DATE: 9/12/2022

START TIME: 7:00 P.M.

MEETING LOCATION: COUNCIL CHAMBERS – 6 N WASHINGTON ST.; MILLERSBURG, OH 44654

CALLED TO ORDER BY: MAYOR, JEFF HUEBNER

RECORD OF PROCEEDINGS

COUNCILMEMBERS ROLL CALL

NAME:		NAME	
Polen	Present	Shoemaker	Present
Hoffee	Not Present	Vaughn	Present
Conn	Present	Hofstetter	Present

MOTION TO EXCUSE:	Hoffee		
MOTION BY:	Shoemaker	MOTION SECONDED BY:	Hofstetter
VOTING ROLL CALL:			
Shoemaker	Yes	Hofstetter	Yes
Polen	Yes	Conn	Yes
Vaughn	Yes		
VOTING RESULTS:	YES: 5 NO: 0		

IN ATTENDANCE

NAME:		NAME:	
Jeff Huebner	Mayor	Nate Troyer	Administrator
Bob Hines	Solicitor	Matt Shaner	Police Chief
Karen Shaffer	Clerk-Treasurer	Andy Zollars	Employee
Melissa Patrick	Visitor	Kevin Lynch	Visitor
Brenna Barbey	Visitor	Heidi Barbey	Visitor
Ruth Waltman	Visitor		

VISITORS:

Ruth Waltman: Informed Council of some concerns the residents of The Villas at Fire Ridge have regarding the lights at the ballfields being left on well after 11 p.m., the volume of traffic at all hours of the day in the parking lot at Deer Run Park, and the speed of traffic up and down Glen Drive. The ballfield lights are often left on all night. Residents have called the police department, and they really don't like doing that all the time, so the lights get left on all night. Waltman said that is costly and suggested the lights be put on a timer if possible. She also noted one of the Villa residents has volunteered to shut the lights off if someone would show him how to do that. Administrator Troyer said he would look into options for a timer on the lights at the ballfields. Another matter was the need for traffic control on Glen Dr. and the amount of traffic and the speeding through the 25 mile per hour zone has increased greatly this year. She said residents are concerned about it because there are so many kids in the area and it is not a safe situation. An additional item she noted is that there seem to be more and more vehicles in the parking lot at Deer Run Park at all hours. Especially during night time hours, the concern is the oddity of it and it seems to be a little sketchy. Mayor Huebner suggested to Chief Shaner that some extra patrol by the Police Department through the area would serve as a deterrent. On a different matter, Waltman, who was the first director of Historic Downtown Millersburg, shared some inconsistencies in design guidelines for signage on buildings in the downtown. She noted there is a 29-page document on the village website, that is confusing and unclear. There is also a document under village ordinances for the design review board. Waltman said she feels some signage does not meet the guidelines. Waltman noted it says "All changes to the exterior of historic structure or site must be reviewed by the Design Review Board". That includes all changes, including any painting on a sign (any signage).

Waltman said to serve the community better, these two documents should be merged/changed, so they are easy to read, for both village building owners and the design review board, and so that everyone is clear what rules need to be followed going forward. She pointed out that there are also penalties and remedies in one of the documents, but not in the other. Administrator Troyer will be in contact with Waltman for further discussion as she offered to assist in re-writing/merging the two documents.

Brenna Barbey: Barbey of Scout Troop 338 gave Council an update on her Eagle Scout amphitheater project. The site plan was changed to a more suitable location so as not to interfere with the Disc Golf Course (west of the ballfields). To date, she has raised \$24,505 through donations and brick sales for the stage. She also received a \$15,000 donation from Bill Baker, which gave him rights for naming the project as the "Timothy Baker Amphitheater". Total funds raised are \$39,505 in just two months. Council previously committed to help with this project and voted on the amount. A motion was made by Vaughn to contribute \$13,000 to the project. Seconded by Shoemaker. Upon roll call, motion carried with Vaughn, Shoemaker, Polen, Hofstetter, and Conn voting aye. Roll call vote: YES: 5 NO: 0

The plans call for a six-tiered amphitheater; 64 feet wide and 40 feet high and built into an existing hillside along the northwestern end of the parking lot at Deer Run Park. Some of the excavating was done by volunteers, and Fryburg Excavating will finish the digging and lay the blocks and drainage materials. It will have 2-foot by 1-foot blocks set along the tiers. A stage will be placed at the bottom using the 62 brick pavers that were sold. The order has been placed to get them in time for delivery by Oct. 7, when the stage is expected to be set. Village administrator Nate Troyer said electric service will need to be added at that end of the park. The addition of some lighting down by the pavilion would help with security issues as well. The village will look into the electrical service. Once the theater is open and running, coordination will need to be decided on how/who will be handling bookings. Barbey noted she anticipates the entire project will be completed by mid-October. Mayor Huebner told Barbey he and Council are very impressed with the amount of fundraising she has accomplished in such a short period of time.

APPROVAL OF PREVIOUS MINUTES

TYPE OF MEETING:		Regular	
SUSPEND READING OF MINUTES HELD ON:		8/8/2022	
MOTION BY:		Polen	
MOTION SECONDED BY:		Hofstetter	
VOTING ROLL CALL:			
Polen	Yes	Hofstetter	Yes
Conn	Yes	Shoemaker	Yes
Vaughn	Yes		
VOTING RESULTS:		YES: 5 NO: 0	
MOTION TO APPROVE BY:		Conn	
MOTION SECONDED BY:		Shoemaker	
VOTING ROLL CALL:			
Conn	Yes	Shoemaker	Yes
Polen	Yes	Vaughn	Yes
Hofstetter	Yes		
VOTING RESULTS:		YES: 5 NO: 0	

APPROVAL OF BILLS

BILL RESOLUTION 2022-21	Bills \$142335.69	Payroll \$100984.90	Total \$243320.59
MOTION BY:		Vaughn	
MOTION SECONDED BY:		Conn	
VOTING ROLL CALL:			
Vaughn	Yes	Conn	Yes
Hofstetter	Yes	Shoemaker	Yes
Polen	Yes		
VOTING RESULTS:		YES: 5 NO: 0	

DEPARTMENT HEAD/OFFICIAL REPORT

DEPARTMENT:	ADMINISTRATION
REPRESENTATIVE'S NAME:	ADMINISTRATOR NATE TROYER
<p>DRB & P&Z Commission: Informed Council P&Z met on Sept.7 and denied a variance submitted by J. Wendell Stotlzfus for a tiny house at 343 N. Grant Street. They also approved a lot split request for 2 lots on S. Monroe Street. Polen asked why the variance on the tiny house was denied. Troyer said the house is too small at only 300 sq. ft. A previously approved tiny house was 600 sq. ft. The minimum without a variance is 1200 sq. ft.</p> <p>Resurfacing/Sidewalk Projects: Informed Council Melway is hoping to begin paving next week.</p> <p>ODOT TAP Project: Informed Council all r/w acquisition agreements have been accepted; however, we are going to need to re-submit payment for 2 of the parcels since the ownership of Best Housing changed prior to the r/w closing date. The original checks for Best Housing and Ling were returned and voided.</p> <p>163 & 187 N. Crawford Street Demolitions: Informed Council funding was approved by the State. As of last week, the county was putting bid packets together for the demolition projects.</p> <p>Storm Follow-up: Informed Council we were notified that the per capita threshold for assistance was not met, so the State of Ohio did not request a federal disaster declaration. The Ohio EMA is still looking for possible assistance sources, however Troyer said he is not hopeful.</p> <p>A/V System: Informed Council Audio/Visual system for the council meeting room is complete and is being used for the first time tonight.</p> <p>Personnel: Informed Council two resignations were received. On Aug 30, Tyler White submitted his resignation effective Sept 2 and on Aug 31 Andy Zollars submitted his resignation effective Sept 16. Motion made by Vaughn to accept the resignations. Seconded by Hofstetter. Upon roll call, motion carried with Vaughn, Hofstetter, Shoemaker, Conn, and Polen voting aye. Roll call vote: YES: 5 NO: 0</p>	

DEPARTMENT:	FISCAL
REPRESENTATIVE'S NAME:	CLERK-TREASURER KAREN SHAFFER
<p>August Financial Statement: Presented the August Financial Statement and acknowledgement form that Council received the report consisting of the Bank Reconciliation; Appropriation Summary, Fund Summary, Revenue Summary, Payment Summary, and Payroll.</p> <p>Aultcare Medical Insurance Renewal: Informed Council the renewal process for the medical insurance is in the beginning stages for the January 1 renewal. Three years ago, there was a 0% increase; two years ago, a 1% increase; and last year there was only a 4.5% increase. One option in the process is to have employees fill out an updated medical history on Form-Fire, which would allow our group to seek medically underwritten rates from other carriers. If Aultcare rates come in high, we would have all the information in place to receive other quotes. Shaffer cautioned that if Council would choose to use Form-Fire, employees would have about a week to complete their information. Hofstetter mentioned that historically, other carriers were not comparable to what the renewal was with Aultcare. Council opted to wait on the renewal rates from Aultcare.</p> <p>Assistant Fiscal Officer: Informed Council that her intention was to remain working for the Village at least until the end of her current term (3/31/24). Shaffer asked if Council was on board with advertising for an assistant to allow time to learn the position. An internal posting would be required for 10 days before a public advertisement. Council was in favor in the search of a candidate.</p> <p>Liquor Licenses Trex Application: Informed Council a Trex application for a D5/6 license was received for Day-Max Entertainment (Spare Times Lanes). The application would need to be signed by the Mayor if approved. Solicitor Hines informed Council there is a deed restriction (from Harry Logsdon) on the property which prohibits the sale of alcohol. However, Hines said it is not up to Council to deny the trex application based on a deed restriction. That can only be contested by the heirs of the original deed and is between the applicants and the Logsdon family. A motion was made by Shoemaker to approve the trex application. Seconded by Hofstetter. Upon roll call, motion carried with Shoemaker, Hofstetter, Conn, and Vaughn voting aye. Polen voted nay. Roll call vote: YES: 4 NO: 1</p> <p>WWTP Debt Service: Informed Council after the next utility billing cycle is complete (due 10/25/22), there will be sufficient funds to pay the remainder of the loan payments for the WWTP upgrade. She asked Council to be thinking of what they wanted to do as far the \$45 debt service charge on the accounts. The first billing due in January of 2023, will not require the debt service. Council briefly discussed other projects or individual components at the plant that require replacement overtime. The Public Works Committee will meet on September 26 at 6:00 pm to discuss options.</p>	

DEPARTMENT:	MAYOR
REPRESENTATIVE'S NAME:	JEFF HEUBNER
Asked Council for a decision on dates/times for meetings for the remainder of the year, as they previously went to one meeting per month for July, August, and September. Council agreed to return to meetings on the second and fourth Mondays at 7:00 pm	

LEGISLATION

NUMBER:	2022-102		
TITLE:	An Ordinance Amending Section 185.02 Of The Village Ordinances And Declaring An Emergency		
CLASSIFICATION:	Ordinance		
STATUS: (Mayor read by title only)	Emergency		
DISCUSSION: Shaffer explained there was a typo in a previous codified ordinance update that was recently discovered. The tax rate for the "Transient Occupancy Tax" (Bed Tax) was omitted. Mayor Huebner read Ordinance 2022-102 for the first time by title only			
MOTION TO:	Suspend the Rules for 2nd & 3rd Reading		
MOTION BY:	Polen		
MOTION SECONDED BY:	Hofstetter		
VOTING ROLL CALL:			
Polen	Yes	Hofstetter	Yes
Conn	Yes	Shoemaker	Yes
Vaughn	Yes		
VOTING RESULTS:	YES: 5 NO: 0		
MOTION TO:	Pass & Adopt		
MOTION BY:	Vaughn		
MOTION SECONDED BY:	Conn		
VOTING ROLL CALL:			
Vaughn	Yes	Conn	Yes
Hofstetter	Yes	Shoemaker	Yes
Polen	Yes		
VOTING RESULTS:	YES: 5 NO: 0		

NUMBER:	Resolution 2022 – 22		
TITLE:	A Resolution Accepting The Amounts And Rates As Determined By The Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor		
CLASSIFICATION:	Resolution		
STATUS: (Mayor read by title only)	1st Reading		
MOTION TO:	Suspend the Rules for 2nd & 3rd Reading		
MOTION BY:	Shoemaker		
MOTION SECONDED BY:	Polen		
VOTING ROLL CALL:		VOTE:	
Shoemaker	Yes	Polen	Yes
Conn	Yes	Hofstetter	Yes
Vaughn	Yes		
VOTING RESULTS:	YES: 5 NO: 0		
MOTION TO:	Pass & Adopt		
MOTION BY:	Hofstetter		
MOTION SECONDED BY:	Vaughn		
VOTING ROLL CALL:		VOTE:	
Hofstetter	Yes	Vaughn	Yes
Polen	Yes	Shoemaker	Yes
Conn	Yes		
VOTING RESULTS:	YES: 5 NO: 0		

NEW BUSINESS

TOPIC:	911 Memorial
PRESENTED BY:	Bob Shoemaker
DISCUSSION: Shoemaker asked if there were any notifications of the memorial event by Holmes Fire District #1. He was told that it was on social media sites of the Fire Department, and possibly was in the paper.	

EXECUTIVE SESSION

PURPOSE: To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.			
MOTION BY:		Polen	
MOTION SECONDED BY:		Hofstetter	
VOTING ROLL CALL:			
Polen	Yes	Hofstetter	Yes
Vaughn	Yes	Shoemaker	Yes
Conn	Yes		
VOTING RESULTS:		YES: 5	NO: 0

NEXT SCHEDULED MEETING

TYPE OF MEETING:	Regular
DATE:	10/10/2022
TIME:	7:00 PM
LOCATION: Council Chambers	6 N Washington St.; Millersburg, OH 44654

ADJOURNMENT

MOTION BY:		Polen	
MOTION SECONDED BY:		Hofstetter	
VOTING ROLL CALL:			
Polen	Yes	Hofstetter	Yes
Conn	Yes	Shoemaker	Yes
Vaughn	Yes		
VOTING RESULTS:		YES: 5	NO: 0

MINUTES PREPARED BY

SIGNATURE: Karen Shaffer	TITLE	DATE
	Clerk-Treasurer	9/20/2022

ATTESTED BY

SIGNATURE: Karen Shaffer	TITLE	DATE
	Clerk-Treasurer	10/10/2022

CERTIFICATION

SIGNATURE: Jeff Huebner	TITLE	DATE
	Mayor	10/10/2022