

ENTITY NAME: VILLAGE OF MILLERSBURG

BOARD NAME: MILLERSBURG VILLAGE COUNCIL

TYPE OF MEETING: Special

VOTING SESSION: No

DATE: 7/11/2022

START TIME: 6:45 P.M.

END TIME: 6:50 P.M.

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

CALLED TO ORDER BY: MAYOR, JEFF HUEBNER

2023 TAX BUDGET HEARING
JULY 11, 2022 – 6:45 PM

Mayor Huebner opened the hearing with all of Council in attendance. Council had no questions. Shaffer noted the only change from the draft as reviewed at the June 13, 2022 meeting, was \$4000 for a scoreboard at the ball park was removed. Shaffer noted that later in the year, more solid numbers would be available for appropriations. Shaffer also said the estimated revenue for 2023 is \$5,112,985 and estimated expenditures are \$5,507,496.

With no additional questions or comments, Mayor Huebner closed the public hearing.

MINUTES PREPARED BY

SIGNATURE: Karen Shaffer	TITLE	DATE
	Clerk-Treasurer	7/20/2022

ATTESTED BY

SIGNATURE: Karen Shaffer	TITLE	DATE
	Clerk-Treasurer	8/8/2022

CERTIFICATION

SIGNATURE: Jeff Huebner	TITLE	DATE
	Mayor	8/8/2022

ENTITY NAME: VILLAGE OF MILLERSBURG

BOARD NAME: MILLERSBURG VILLAGE COUNCIL

TYPE OF MEETING: Regular

VOTING SESSION: Yes

DATE: 7/11/2022

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	PRESENT
Polen	Present	Shoemaker	Present
Hoffee	Present	Vaughn	Present
Conn	Present	Hofstetter	Present

IN ATTENDANCE

NAME:	VISITOR/EMPLOYEE	NAME:	VISITOR/EMPLOYEE
Jeff Huebner	Mayor	Nate Troyer	Administrator
Bob Hines	Solicitor	Matt Shaner	Police Chief
Karen Shaffer	Clerk-Treasurer	Melissa Patrick	Visitor
Kevin Lynch	Visitor	Brenna Barbey	Visitor
Heidi Barbey	Visitor	Vickie Thompson	Visitor

APPROVAL OF PREVIOUS MINUTES

TYPE OF MEETING:		Regular	
SUSPEND READING OF MINUTES HELD ON:		6/27/2022	
MOTION BY:		Polen	
MOTION SECONDED BY:		Hofstetter	
VOTING ROLL CALL:			
Polen	Yes	Hofstetter	Yes
Hoffee	Yes	Conn	Yes
Shoemaker	Yes	Vaughn	Yes
VOTING RESULTS:		YES: 6	NO: 0
MOTION TO APPROVE MINUTES BY:		Conn	
MOTION SECONDED BY:		Hoffee	
VOTING ROLL CALL:			
Conn	Yes	Hoffee	Yes
Polen	Yes	Hofstetter	Yes
Vaughn	Yes	Shoemaker	Yes
VOTING RESULTS:		YES: 6	NO: 0

APPROVAL OF BILLS

BILL RESOLUTION 2021-18	Bills \$57,884.94	Payroll \$50,532.43	Total \$108,417.37
MOTION BY:		Vaughn	
MOTION SECONDED BY:		Shoemaker	
VOTING ROLL CALL:			
Vaughn	Yes	Shoemaker	Yes
Polen	Yes	Hofstetter	Yes
Hoffee	Yes	Conn	Yes
VOTING RESULTS:		YES: 6	NO: 0

VISITORS:

Brenna Barbey: Barbey of Scout Troop 338 gave Council an update on her amphitheater project. A new location was selected as there were too many trees that would need removed adding additional costs. The new location by the ballfields and disc golf course is more practical. She spoke with disc golf players and one tee box would be involved, however during amphitheater events another tee box can be utilized. They will work together on coordinating events. Barbey said the options for the theater are: (Option A) 7 to 8 tiers – 30’ wide and seating 80 to 100 people. Limestone block would be installed for seating and a stage would be at the bottom. Cost \$40,000. (Option B) 7 to 8 tiers with no block; grass tiers that would require weeding and mowing and also a stage installed. Cost \$20,000. (Option C) Utilize the existing slope where individuals could lay blankets down. Yard maintenance would still be required. Stage cost \$5,000 to \$10,000. All options would be handicap accessible. Barbey had a fund-raising idea she shared with Council. Individuals could “buy a brick” for \$150 and could be engraved with names and would be used in the construction of the stage. Of that amount, \$20 is for the brick and \$130 would be used for the purchase of the limestone block to be installed for seating. She currently has pledges in the amount of \$5,000 from a few businesses/individuals. If she received 300 purchases of the “buy a brick” she would raise enough for Option A of the project. If there would be any remaining funds after the project was completed, money would be donated to Holmes Center for the Arts. She also asked if the Village would have funds available to contribute. Hoffee asked when she would like to see this completed. Barbey said this fall is the target date. Shoemaker said he liked Option A, as did Hoffee. Hofstetter asked if she had contacted suppliers to see if any materials could be donated or the purchase price reduced. Barbey said Melway paving has already reduced the price of the limestone block. Troyer noted that Option A is a safer option and would be less maintenance for staff. Hofstetter asked if she had contacted the County Commissioners for any assistance, to which Barbey said she had not. Clerk-Treasurer Shaffer told Council that with the appropriations for the hanging flower baskets not being utilized, there would be approximately \$12,000-\$13,000 available should they choose to contribute. Barbey was asked to contact the County Commissioners; start her “buy a brick” campaign; create a Facebook page for fundraising; and relay information to the press for public awareness. She was asked to report back to Council on her progress.

DEPARTMENT HEAD/OFFICIAL REPORT

DEPARTMENT:	POLICE DEPARTMENT
REPRESENTATIVE'S NAME:	CHIEF MATT SHANER
<p>Chief Shaner gave his response to concerns that were raised at the last meeting. The first issue addressed was speeding violations. He spoke with officers. Their feelings on the reduced amount of traffic tickets issued were: The extra shifts they were working; long hours being out by themselves; and two of the officers mentioned that Covid issues were a concern as well. One officer brought up that warnings were issued (written and verbal) as a correction versus an actual citation. They all felt they could be doing better and Shaner anticipates changes will be forthcoming. The other area of concern was incidents at Dollar General and Dollar Tree as was spoke about at the last Council meeting. Shaner told Council he went to both stores and spoke to the managers. Shaner agreed that at Dollar General, there were issues that were not handled the way they should have been. Shaner said he was not aware of the matter, but has since talked to the officer involved and handed down disciplinary action. He said he felt he had a good conversation with both store managers. The manager of Dollar General stated she wasn't even aware there was a Chief of Police and thought that Captain Herman was the senior officer and one of her concerns was with Herman. Shaner spoke to Tracy Byland the manager of Dollar Tree as he said some of things stated at the previous meeting were as concerning to him as they were to everyone else. He addressed the comment of the individual in the store with a mask and a knife who was threatening her employee. When Shaner asked her about that, she stated she was told that and did not have firsthand knowledge. She wasn't sure when this supposedly took place, but sometime early in the year. While Shaner was there, the employee who actually made the call to the Police Department arrived. He spoke with the employee and the date was narrowed to sometime between Christmas and Easter. The employee confirmed that she did call the Police Dept phone number. She did not say anything about a knife or a threat, only that a man came in put on a mask (Covid), stood around, and was making the employees uncomfortable, so she called the police. Shaner found the actual recording of the phone call, and noted that what was stated at the last meeting by Byland, was not what was said during the phone call. Byland said she was repeating what she was told. The other matter addressed what happened during the power outage from a recent storm. A statement was made by Byland that claimed an individual was banging on the windows trying to get in the store. Shaner found that recorded phone call as well and Byland was the reporting party. The call stated that somebody was trying to get in the store. The dispatcher asked if the individual was pulling on the doors. Byland responded "yes", but never mentioned that the suspect was banging on the windows as she said at the previous meeting. Captain Herman went to the store and dealt with the individual. Byland said she should have gone out and talked to the officer to tell him that the suspect was banging on the windows, but she didn't. The suspect left the store area and went to Pizza Hut where Herman told him to leave that area as well. He then went to Walmart, where Walmart staff told him to leave, they were closed, and he could come back when they were open. He then went to the lawn of Killbuck Bank where he removed his shirt, shoes, and socks. Shaner and Byland discussed the comment she made at the last meeting where she indicated the suspect was stripping. Shaner and Hoffee both noted they interpreted it that he was stripping naked from the comment Byland made. Herman was also questioned by Shaner about the incident and Herman stated that the individual was without his shirt, shoes, and socks, and was not naked. In an unrelated call, Shaner said there was a previous call where an individual was intoxicated on drugs and was actually stripping in the street. There were five people trying to subdue the suspect (3 in uniforms) and the Police Department received phone calls on that incident. On the recent incident at Killbuck Bank, they did not receive any phone calls. Byland also mentioned that the PD took this individual to Wooster. Chief stated that the PD did not take him anywhere, nor did he ride in the cruiser. A local church found a hotel room for him in Coshocton and a church member took him there. Chief Shaner offered the phone recordings for Council to listen, to which they declined and were satisfied with Shaner's report. Shaner told Council he explained to the manager that unless the property owner of a business or residential property files a formal complaint and is adamant on filing charges, trespassing charges will not be filed as he has no authority to do so without a formal complaint. Shaner said both managers seemed receptive and appreciative of his conversations with them and they now know to contact him with any matters that arise, as he can't review matters if he is not aware of them. As far as the sexual assault case that was mentioned at the previous meeting, Shaner said the female (not the victim) wanted to now why she was not notified of the case updates. His response to her was because she was not the victim. Had she called and asked, he could have told her the case was closed and the charges were reduced to "Disorderly Conduct" by the County Prosecutor, as this would be a public record. Hoffee thanked Shaner for his thoroughness and investigation into the matters that were presented.</p>	

DEPARTMENT:	ADMINISTRATION
REPRESENTATIVE'S NAME:	ADMINISTRATOR NATE TROYER
<p>DRB/P & Z: Informed Council the DRB will meet August 3rd. The Cider Press located at 73 W. Jackson St. has submitted a "Certificate of Appropriateness" application for signage and rear façade changes. The P & Z Commission will also meet that evening. Wendell Stoltzfus has submitted a variance application for a proposed tiny house at 343 N. Gant St. They will also potentially review lots splits of the Ray-Mar/Hilltop Group Home area on the west side of town.</p> <p>ODOT Tap Project: Three of the four Right-of-Way acquisitions agreements have been signed.</p> <p>Storm Follow-up: Informed Council the EMA Public Assistance Damage form was completed/submitted. The Village had a total of \$25,070.12 in storm related costs. The hope is to receive reimbursement for some/all of the costs should the State Disaster Relief Program funding become available. Items that were damaged and turned into our insurance company are not eligible.</p> <p>New Employees: Informed Council both new employees have reported for work at the Street Department and the Utility Department.</p>	

DEPARTMENT:	FISCAL
REPRESENTATIVE'S NAME:	CLERK-TREASURER KAREN SHAFFER
<p>June Financial Statement: Presented the May 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>Payment Approval of Future Invoices: Asked for approval to pay invoices when due and payable since Council will be meeting once per month. A listing of such payments will be provided to Council. Motion made by Hoffee to approve the payments of invoices when they are due and payable. Seconded by Conn. Upon roll call, motion carried with Hoffee, Conn, Polen, Hofstetter, Vaughn, and Shoemaker voting aye. Roll Call Vote: Yes - 6 No - 0</p>	

LEGISLATION

2023 ANNUAL TAX BUDGET			
Mayor Huebner asked for approval of the 2023 Annual Tax Budget			
MOTION TO APPROVE BY:		Shoemaker	
MOTION SECONDED BY:		Vaughn	
VOTING ROLL CALL:			
Shoemaker	Yes	Vaughn	Yes
Hofstetter	Yes	Conn	Yes
Hoffee	Yes	Polen	Yes
VOTING RESULTS:		YES: 6 NO: 0	

VISITORS:

<p>Vickie Thompson: Since the recent storm, Thompson asked if the fallen trees could be cut and removed by individuals that use wood for a source of heat during the winter. She referred mainly to trees along SR 39. Troyer told her to contact ODOT and/or the property owners for permission. If Millersburg would ever have any wood available, it is usually stacked at the old fairgrounds for anyone's use.</p>
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EXECUTIVE SESSION

PURPOSE: To confer with the public body's attorney for the purpose of discussing disputes involving the public body that are the subject of pending or imminent litigation.			
MOTION BY:		Polen	
MOTION SECONDED BY:		Hofstetter	
VOTING ROLL CALL:			
Polen	Yes	Hofstetter	Yes
Hoffee	Yes	Conn	Yes
Shoemaker	Yes	Vaughn	Yes
VOTING RESULTS:		YES: 6 NO: 0	

EXECUTIVE SESSION ACTION

ACTION: None.

NEXT SCHEDULED MEETING

TYPE OF MEETING:	<u>Regular</u>
DATE:	<u>8/8/2022</u>
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
Hoffee	Yes	Conn	Yes
Shoemaker	Yes	Vaughn	Yes
VOTING RESULTS:	YES: 6 NO: 0		

MINUTES PREPARED BY

SIGNATURE: Karen Shaffer	TITLE	DATE
	Clerk-Treasurer	7/20/2022

ATTESTED BY

SIGNATURE: Karen Shaffer	TITLE	DATE
	Clerk-Treasurer	8/8/2022

CERTIFICATION

SIGNATURE: Jeff Huebner	TITLE	DATE
	Mayor	8/8/2022