

The Council of the Village of Millersburg met in regular session via ZOOM on March 22, 2021 at 7:00 p.m. The meeting was streamed on YouTube for public viewing (Covid-19). Mayor Huebner called the meeting to order. Clerk-Treasurer Karen Shaffer gave roll call, and the following members were in attendance: Kelly Hoffee, Devone Polen, Robert Shoemaker, Brent Hofstetter, Tom Vaughn, and Brad Conn. Solicitor Robert Hines was also in attendance as well as Chief Shaner.

**MINUTES:** Motion made by Shoemaker to suspend the reading of the minutes of Council held March 8, 2021. Seconded by Polen. Upon roll call, motion carried with Shoemaker, Polen, Hoffee, Conn, Hofstetter, and Vaughn voting aye. Motion made by Conn to accept the minutes as presented. Seconded by Hofstetter. Upon roll call, motion carried with Conn, Hofstetter, Vaughn, Shoemaker, Polen, and Hoffee voting aye.

**BILLS:** Motion made by Vaughn to pay bills in Resolution 2021-08: Bills \$71,932.53, Payroll \$56,141.39 for a total of \$128,073.92. Seconded by Hoffee. Upon roll call, motion carried with Vaughn, Hoffee, Conn, Shoemaker, Polen, and Hofstetter voting aye.

#### **REPORTS OF OFFICERS**

**Chief Shaner:** Informed Council that our newest dispatcher, Noah Wardle, that was in training gave his letter of resignation effective immediately (3-12-2021). Motion to accept his letter of resignation by Shoemaker. Seconded by Polen. Upon roll call, motion carried with Shoemaker, Polen, Vaughn, Hoffee, Hofstetter, and Conn voting aye.

Shaner also proposed the hiring of Caleb Cox to fill the vacancy when Tyler Larson leaves on April 9, 2021. He stated that his references were good, he interviewed good, and that he is not certified but he does have hopes of going through the academy in the future. He will start at the non-certified rate of pay. Motion to hire Cox was made by Hofstetter. Seconded by Conn. Motion carried with Hofstetter, Conn, Vaughn, Hoffee, Polen, and Shoemaker voting aye.

He also stated that if council didn't object he would now commence in finding a replacement for Noah in dispatch. No objection.

He also informed council that the new cruiser is now on the road. That another car is scheduled to get outfitted with the new decals as well.

#### **Administrator Troyer:**

**DRB & P&Z Commission:** P&Z will consider a rezoning request for an additional 12 acres of land adjacent to the piece that was previously rezoned by Kurt McDowell and Morgan Durst to expand the mining area. This was the plan originally but couldn't occur until they established this 12-acre piece as its own parcel.

**DRB:** We have received 4 applications from interested parties for the two Design Review Board vacancies. The applicants are John Zvolensky, Jen Miller, Jenny Hofstetter, and Tom Wengerd. Informed council to make their decisions and email him or Karen with the rankings of their choices. He stated that there is no rush, that there isn't anything on the books for April so there is time to decide. There were 7 active members, now there are 5, and the board can operate with 5 members. Shoemaker informed council that he doesn't know three of the candidates. Nate informed them that they all can be contacted within the next couple of weeks. Hoffee stated that she didn't think that it was right that the spouse of a council member be running for this position. She stated that the optics of it are horrific and that it is nepotism. Hofstetter responded that it was completely Jenny's idea, that she did speak to him about a conflict of interest. He responded to her that he is not on Design Review Board and that nothing for them goes to council. He doesn't disagree with the optics of it, but he does disagree that there is a conflict. Vaughn inquired to Solicitor Hines for his input. Hines stated that he doesn't believe it is nepotism and that there is no conflict of interest regardless of the optics of it. Mayor Heubner then stated for everyone to email Karen or Nate with their choices from 1 to 5 and they will go from there.

Informed council that we received an application from Kirk Snyder for rezoning for the land he owns on Uhl Street. Currently it is zoned for R3, which is a single-family zoning district. He is proposing to build a duplex and a single-family dwelling unit. He has to apply for rezoning and to do that it has to be to the special use district. Would then go to the Planning and Zoning Board, then to Council.

**Resurfacing/Sidewalk Projects:** Bid opening date is March 26<sup>th</sup> at the Village Offices.

Informed Council that we have received requests to allow use of the property at 187 N. Crawford St, for training for law enforcement and fire personnel up to the point of demolition. Hofstetter enquired if there would be any noise concerns for the neighbors. Troyer stated that the one neighbor, that house is vacant, but that we can tell them to limit noise for the other homes in the area. Motion to allow the use for training for police and fire personal made by Conn. Seconded by Shoemaker. Motion passed with Conn, Shoemaker, Hoffee, Vaughn, Polen, and Hofstetter all voting aye.

Airport Park Use Requests: Berlin Christian Fellowship has requested permission to hold an Easter Egg Hunt at the park on 3/31 from 4-7. Also, the United Methodist Church requested the use of the park on July 20, 27<sup>th</sup>, and August 3. As of right now the restrooms are not available and both groups know this. Motion to allow the usage was made by Polen. Seconded by Hoffee. Motion carried with Polen, Hoffee, Hofstetter, Shoemaker, Vaughn, and Conn all voting aye.

Clean Up Day: We have scheduled the annual clean-up day for April 24<sup>th</sup> from 8:00 to 12:00 at the Village Garage. Document shredding truck will be on site 9-11.

Troyer also stated that Matt's new cruiser is up and running. The 2014 cruiser is being stripped and will be going up for sale in the future along with a couple of pick-up trucks. Legislation will be presented in the near future.

**Clerk-Treasurer Shaffer:** American Rescue Plan Act 2021 Summary. We are tentatively set to receive an estimated \$630,000 from the American Rescue Plan. OML had a zoom meeting sponsored by the National League of Cities that Shaffer, Cool, Shoemaker, and Marty sat in on. Some things that were learned:

- The US Treasury is dispensing the funds to the state and the state will submit the money to villages, cities, and county.
- Once the state receives the money, they have 30 days to disperse it.
- The funds will be given in two payments. Once the first one is received, the second payment will be dispersed a year later.
- All funds will need to be used by 2024.
- Periodic reporting to the US Treasury but no further guidance has been given to date.
- Can do a resolution for it, but council would have to state exactly what and how much will be used for each project.
- If no resolution, it will allow for flexibility: water, sewer, broad band, infra structure are all allowed.
- The National League of Cities will be offering question and answer sessions on Fridays.

Hofstetter stated that Wooster Rd and Grant St are in need line replacements. Mayor stated that it should be used for water and sewer. Shaffer also stated that we can donate to a nonprofit and then that will be their responsibility to report where it is being spent. She also stated that her opinion is that it should be used for community improvements. Several board members also agreed. Nate stated that 4 or 5 projects came up this week: Wooster Rd, N. Grant storm sewer, Tanager water main section has had number breaks, would like to see the dead-end sections of Jackson St and S Alexander connect and loop them together, and part of the trail has a section of sewer pipe to replace and replace the two manhole covers. He also stated that it would be nice if we could use the money all at once to save on the engineering costs. Shaffer stated that when we receive the first installment, we can save it until the second installment comes in.

**Solicitor Hines:** Wanted to mention that when we are in Executive Session on zoom, that only the office holders and council are allowed in the room at that time. Executive Sessions are not for public knowledge.

**Mayor Huebner:** Read the Arbor Day Proclamation and proclaiming that April 30, 2021 as Arbor Day in the Village of Millersburg. He urges all citizens to celebrate and plant a tree.

**Legislation** Mayor Huebner read Resolution 2021-06 "A Resolution To Approve The Application And Agreement For CRA Tax Incentives Regarding West Main Investments, Ltd. And Authorizing The Mayor To Sign The Agreement On Behalf Of The Village" by title only for the 2<sup>nd</sup> time.

Mayor Huebner read Resolution 2021-07 "Adopting The Holmes County Hazard Mitigation Plan" for the 2<sup>nd</sup> time by title only. Shaffer stated that we needed a 3<sup>rd</sup> reading today in order to meet the deadline. Motion to suspend the 3<sup>rd</sup> reading was made by Polen. Seconded by Shoemaker. Upon roll call, motion carried with Polen, Shoemaker, Hoffee, Conn, Hofstetter, and Vaughn voting aye. Motion made by Hofstetter to adopt Resolution 2021-07. Seconded by Shoemaker. Upon roll call, the motion carried with Hofstetter, Shoemaker, Polen, Vaughn, Hoffee, and Conn voting aye.

Mayor Huebner read Resolution 2021-09 "A Resolution Authorizing Participation In The ODOT Road Salt Contracts Awarded In 2021" for the 1<sup>st</sup> time by title only.

Mayor Huebner read Ordinance 2021-10 "An Ordinance Approving The Meadow Glen Subdivision Phase 4 As A Formal Subdivision Within The Village Of Millersburg, Accepting The Proposed Dedication Of A Portion Of Quinn Circle As A Public Street And Right Of Way, Accepting Various Public Improvements And Accepting A Warranty Deed From The Owners And Dedicators Of Meadow Glen Subdivision" for the first time by title only.

**OLD BUSINESS:** None

**NEW BUSINESS:** Shoemaker stated that National Nurses Week is May 6 – 12 and National Hospital week is May 9 – 15. Last year the community did a caravan. Mayor asked if he had something in mind. He stated that donuts or something could be sent up to the hospital. Mayor stated that we have time to come up with some ideas. Shaffer stated if anything is purchased the funds would have to come from individuals, that we couldn't use village funds for it.

**COMMENTS:** None from viewers.

**ADJOURNMENT:** Motion made by Polen to adjourn the meeting. Seconded by Hofstetter. Upon roll call, motion carried with Polen, Hofstetter, Conn, Hoffee, Shoemaker, and Vaughn voting aye.

Approved Date \_\_\_\_\_

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Karen Shaffer, Clerk-Treasurer

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Jeff Huebner, Mayor