



VILLAGE OF MILLERSBURG

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Jeff Huebner, *Mayor*

Nathan Troyer, *Village Administrator*

Karen Shaffer, *CMC, Village Clerk-Treasurer, Tax Administrator*

S. Thomas Vaughn, *Police Chief*

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The Council of the Village of Millersburg met in regular session on March 26, 2018 at 7:00 p.m. Mayor Huebner called the meeting to order followed by the Pledge of Allegiance. Clerk-Treasurer Karen Shaffer gave roll call and the following members were in attendance: Devone Polen, Brent Hofstetter, Jr. Vaughn, Robert Shoemaker, Kelly Hoffee and Ruby Baird. Solicitor Robert Hine was also in attendance. Motion made by Hoffee to excuse Administrator Nate Troyer. Seconded by Baird. Upon roll call, motion carried with Hoffee, Baird, Shoemaker, Vaughn, Hofstetter and Polen voting aye.

VISITORS: Bob Shoemaker thanked Council for allowing the use of Deer Run Park for the Easter Egg Hunt sponsored by Scenic Pointe. The event was well attended.

Wes McElravy, Lead Minister of Millersburg Christian Church thanked officials of Millersburg for their commitment and service to the community. With so much negativity that circulates, he felt something positive needed to be said. He appreciates what they do. He also noted that Millersburg has some of the best streets in the area. McElravy told Council the church and their facilities are always open should any situation arise. With school/police shootings on the rise, his prayer is that it never happens here, but Millersburg or any community is not exempt these days. He offered the church and the Life Center as a resource whenever needed. Council/Mayor thanked him for his generous offer and positive comments.

MINUTES: Motion made by Hofstetter to suspend the reading of the minutes of the previous meeting. Seconded by Polen. Upon roll call, motion carried with Hofstetter, Polen, Vaughn, Shoemaker, Hoffee and Baird voting aye. Solicitor Hines read a statement to retract and clarify a comment ("The issue of tractors pulling wagons in town will stop") he made at the Council meeting on March 12, 2018. Hines went on to state that the issue of whether it is legal for a tractor to pull a trailer with passengers in the trailer is very complicated and depends on the facts of each case. In order to obtain uniform enforcement around the county, the following law enforcement agencies and their legal representatives met on three different occasions since this fall: the Holmes County Sheriff's Department, the Holmes County Prosecuting Attorney and his assistant, the Ohio State Highway Patrol, the Millersburg Police Department and me as the attorney for the Village. Since the law is so complicated and confusing, we decided to ask for an opinion from the Ohio Attorney General.

We received that opinion in November. Since then the above mentioned law enforcement agencies met again to decide what exactly the Attorney General opinion says and how to implement it.

Once we decided that, we met with the WKLM and Daily Record reporters to explain to the public how the law will be enforced.

This is what the Attorney General's Opinion said and what was said to the reporters:

If the trailer is (a) being towed or drawn (b) by power other than muscular power (c) on a public road or highway (d) and is being used for a purpose other than to transport agricultural produce for agricultural production materials between a local place of storage or supply and the farm, the trailer does not constitute "farm machinery" as defined in RC 4501.01 (U), but rather a "motor vehicle". Because it is a "motor vehicle", it must comply with the various licensing and equipment regulations set forth in the Ohio Revised Code. These include:

- (1) a rear taillight RC 4513.05(A);
- (2) a license plate light RC 4513.05(A);

- (3) two or more stoplights mounted on the rear of the vehicle, actuated upon application of the service brake RC 4513.071(A);
- (4) a license plate RC 4503.21(A) (1);
- (5) directional signals RC 4513.261(A) (1);
- (6) if the trailer is unenclosed or unroofed, and if the trailer is traveling faster than 25 mph, and if there are passengers that are under the age of sixteen years, the trailer must be equipped with a properly secured seat to which is attached to a seat safety belt RC 4511.51 (A).

Hines noted he takes full responsibility and apologized for any confusion caused by his statements in the last Council meeting and wishes to now set the record straight.

Motion made by Hoffee to accept the minutes as amended. Seconded by Polen. Upon roll call, motion carried with Hoffee, Polen, Baird, Shoemaker, Vaughn and Hofstetter voting aye.

BILLS: Hoffee asked why Village employees did not take care of a sewer plug on S. Washington St. and Dick's Plumbing was contracted. In the absence of the Administrator, Shaffer noted she only assumed it was a main line. Councilman Vaughn stated the Village did not have the necessary equipment. Motion made by Vaughn to pay bill resolution 2018-08 bills' \$104,123.18; payroll \$44,311.72; total \$148,434.90. Seconded by Hoffee. Upon roll call, motion carried with Vaughn, Hoffee, Polen, Hofstetter, Shoemaker and Baird voting aye.

REPORTS OF OFFICERS

Administrator Troyer (Presented by Mayor Huebner): Informed Council the sign installation of the Hardy Township Grant is virtually complete and should be finalized this week.

Informed Council he attended a street lighting meeting in Akron on March 21 and received some good information to consider if we look at full lighting/fixture replacement.

Informed Council a meeting was held with OMEGA on March 19 for the TAP (South sidewalks). There will be legislation presented at the April 9 Council meeting to authorize participation. In addition, we are working on compiling the other necessary application information.

Informed Council a meeting was held with Omega on March 19 for the SRTS Program (East sidewalks). West Holmes Superintendent Sterling & Mrs. Woods (Mbg. Elementary Principal) attended the meeting as well. The SRTS program was introduced to school officials and they are in favor of participating. Mr. Sterling was going to discuss this with all his elementary principals to get a list of projects together. Once this is completed, we will begin the meetings to complete the program plan. They were both in favor of the east sidewalks as well as installation of high visibility crosswalks around the school.

Informed Council he received a request to reserve Deer Run on July 18 for the Paul Laney Memorial Tournament. This is a 36 team, 6 field tournament with the finals being in Winesburg. The proceeds from the tournament are to benefit a young child who needs chemotherapy. Troyer requested Council consider waiving the registration fee. Motion made by Hofstetter to waive the registration fee. Seconded by Polen. Upon roll call, motion carried with Hofstetter, Polen, Vaughn, Shoemaker, Hoffee and Baird voting aye.

Informed Council Doheny is working on getting us numbers on a trade in value for the existing jet-vac truck and we have a demo scheduled for March 28. Southeastern Equipment was also contacted and they are going to be getting us a proposal and work on scheduling a demo of a Vacall.

Informed Council Buckeye Sweeping is scheduled to be in town the week of April 16th for spring street sweeping.

Reminded Council they have had several recent conversations about developing a strategic plan for the future of the Village. Obviously this wouldn't be a short term project but he would like Council to begin thinking about whether this is something we want to pursue and how this should proceed. Some items to consider could include the potential participants in the development of a plan, determining goals and objectives, funding, etc. Troyer provided a link to plan that was shared with him and he felt this was good place to start. <http://www.townofclaytonnc.org/Planning/growth-plan.aspx>. Shoemaker noted he was in favor of a plan, one that should have been completed sometime ago. Hoffee stated she looked at the plan provided, and feels areas to be addressed for Millersburg are, mobility, industry, green

space and a compost site. She feels residents should be on committees along with Council for a more diverse group.

Clerk-Treasurer Shaffer: Informed Council Millersburg is once again eligible to join the Group Rating for the worker's compensation plan. The sponsor is the Ohio Municipal League, with the third party administrator being Compmanagement. An annual fee is assessed by Compmanagement for the administration of BWC. In joining the group rating, they have estimated a 47% savings of BWC premiums. Motion made by Hoffee to approve the group rating plan. Seconded by Shoemaker. Upon roll call, motion carried with Hoffee, Shoemaker, Baird, Vaughn, Hofstetter and Polen voting aye.

Mayor Huebner: Asked Council how they would like to see the bid specs prepared for trash service. Options would be bidding the current contract; adding alternate 1.) weekly unlimited pick-up with weekly recycling; alternate 2.) weekly unlimited pick-up with bi-weekly recycling. Council agreed that all options should be requested in the bid.

Read a proclamation designating April 27th, 2018 as Arbor Day in the Village.

NEW BUSINESS: Hoffee noted after hearing a news report about Sugarcreek employees not abiding by set hours, she researched Millersburg employee's hours. She asked why an employee in the utility department is not following the 7:00 a.m. to 3:30 p.m. work schedule as passed by Council in the annual pay ordinance. Mayor Huebner stated he thought the issue was taken care of. He will speak with Administrator Troyer again about the issue.

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

Approved Date _____

Karen Shaffer, Clerk-Treasurer

Jeff Huebner, Mayor