



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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Public Hearing

The Council of the Village of Millersburg met for a Public Hearing on June 25, 2018 at 6:50 p.m. Mayor Huebner called the hearing to order. Council members in attendance were: Devone Polen, Brent Hofstetter, Jr. Vaughn, Robert Shoemaker, Kelly Hoffee and Ruby Baird.

The purpose of the hearing was for Council to accept comments on the proposed zoning change request for property owned by J.D. Hipp Farms LTD. The request was made by Jerry Rouse (on behalf of Hipp Farms) to change the zoning of 5145 CR 349 (Parcel #0701910000) from R-1 Estate Residential to B-2 Highway Commercial for the development of a car lot. P & Z recommended the change at their meeting held in May. Letters were sent to adjoining property owners, with one concern being received. Charles & Barb McClelland were concerned that if parking lot lights were installed, the light would be a disruption to their property across the road. Rouse confirmed that if lights were installed, they would be directed downward to the car lot.

There were no comments heard and Council had no questions on the matter. An ordinance will be presented to Council to approve the zoning change.

With no further business, Mayor Huebner closed the hearing.

Date Approved

Karen Shaffer, Clerk-Treasurer

Jeff Huebner, Mayor

Regular Session of Council

The Council of the Village of Millersburg met in regular session on June 25, 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 Hines was also in attendance.

VISITORS: Joni Deutschman, Board President of the Holmes County Human Society addressed Council on feral cats in the Village. She explained the Humane Society does not have the funding or capabilities to accept feral cats. They can, however assist with a TNR (Trap, Neuter & Release program. In doing the TNR program, it will keep more cats from invading the neighborhood. Quick Fix in Medina will provide the neuter/spay procedure and a rabies vaccination for \$30. The society has traps that may be used (\$10 deposit) and they will transport them to Medina. They could also use volunteer help with this if Millersburg decided to start the program. Council thanked her for attending the meeting and the information.

Andrea Kellogg addressed Council regarding the proposed 5 mill renewal levy. She wanted to know when the levy was first approved by voters. Shaffer noted it was first passed in 1979 (effective tax year 2008) and has been renewed every 5 years since. The 5 mill outside levy that is currently on the real estate taxes is based on the property value of when the levy

went into effect, not current values. Kellogg asked if the levy was actually needed and asked each Council member why they voted to place it back on the ballot if it is not needed. Hoffee stated she voted not to place the renewal back on the ballot, as Council was told it was not needed, and with estimated revenue being \$124,000, it was nothing compared to an over \$4-million-dollar budget. She felt the levy should expire to give back to the residents. She noted that Shaffer told them the levy was not needed. Polen and Vaughn stated they felt the residents should decide. Shoemaker and Baird noted that if the levy was renewed, the funds could be used for sidewalk replacement and street tree maintenance, of which the village has recently taken over from the property owners. Hofstetter noted he didn't remember Shaffer saying that it was "not needed" and asked her what her opinion was when the issue was discussed. Shaffer said she remembered saying (when asked by Council) that she felt comfortable not placing it on the ballot, but it was a Council decision. Hofstetter felt to let the voters decide.

Kellogg also asked if a tree/bush could be trimmed on the corner of Deetz Street and S. Washington. It is blocking the view when trying to pull out. Troyer noted he would look at it and correct the issue as necessary.

MINUTES: Motion made by Polen to suspend the reading of the minutes of the previous meeting. Seconded by Hoffee. Upon roll call, motion carried with Polen, Hoffee, Hofstetter, Vaughn, Shoemaker and Baird voting aye. Motion made by Hoffee to accept the minutes as presented. Seconded by Hofstetter. Upon roll call, motion carried with Hoffee, Hofstetter, Baird, Shoemaker, Vaughn and Polen voting aye.

BILLS: Motion made by Hoffee to pay bill resolution 2018-28 bills' \$69,986.07 payroll \$44,011.31; total \$113,997.38. Seconded by Shoemaker. Upon roll call, motion carried with Hoffee, Shoemaker, Polen, Hofstetter, Vaughn and Baird voting aye.

REPORTS OF OFFICERS

Chief Vaughn: Informed Council the inspection is complete on the new Auxiliary Building/Garage. He invited Council to tour the building at any time. They should contact him for times.

Administrator Troyer: Informed Council the DRB will review a COA for signage at 31 N. Mad Anthony for McCleery Law Office. The P&Z Board will review a lot split by Steve McCrossin on East Jackson Street as well as a rezoning at 423 Hebron Street at the July meeting.

Informed Council he spoke with West Holmes Superintendent, Bill Sterling regarding the SRTS Program (East sidewalks). The SRTS Plan, according to OMEGA, can be in place before the application is submitted. Committees will be formed for the project in the near future.

Informed Council the order has been placed with Vacall for the sewer jet purchase. Once everything is processed we should receive an estimated delivery schedule.

Informed Council ODOT resurfacing is mostly complete with only striping remaining. Superior Paving has signed all documents for the 2018 Village Resurfacing project and we are awaiting a schedule.

Informed Council Cline Brothers Tree Service was in town the 20th and 21st removing 6 trees and trimming another for Tree City. A second round of trimming will be completed later and then we will begin working on stump grinding.

Informed Council the 2017 CCR is completed and will be available on our website ASAP. Notice will go out to all utility accounts on the bills.

Asked Council to approve closing S. Monroe St (from Jackson to Adams) and Court Street for Thunder Over Holmes County activities on June 29 through July 1. Motion made by Hoffee to approve the street closings. Seconded by Baird. Upon roll call, motion carried with Hoffee, Baird, Polen, Shoemaker, Vaughn and Hofstetter voting aye.

Informed Council Cheryl Shelton was in attendance to request Council install an honorary street sign on N. Clay Street near the Millersburg Christian Church for her husband, Willie Shelton. Willie passed away in October of 2017 as the result of a brain tumor and was a US Army Veteran. While on active duty, Mrs. Shelton explained that Willie, who was a Sergeant, was injured in 4 IED incidents, but was never awarded the "Purple Heart". He developed the brain tumor, it is believed, from exposure to the "New Agent Orange". She wanted something to honor him and their young children to remember. Motion made by Hoffee to approve the honorary street sign. Seconded by Polen. Upon roll call, motion carried with

Hoffee, Polen, Hofstetter, Vaughn, Shoemaker and Baird voting aye. Troyer noted he would get a sign ordered. Mrs. Shelton thanked Council for their support.

Clerk-Treasurer Shaffer: Reminded Council of the Budget Hearing scheduled for July 9 at 6:45.

Asked Council if there were any questions on the proposed budget as presented to them. Hoffee asked why the line item for the Sewer R & I Fund for 2018 was \$127,000 and for 2019 it was \$115,000. Shaffer explained that the 2018 numbers included \$115,000 for sludge hauling and other purchases, and 2019 numbers are only for \$115,000 for sludge hauling.

LEGISLATION: Mayor Huebner read Resolution 2018-29 "A Resolution Authorizing Placement Of A Renewal Of The Five Mill Outside Operating Levy On The November 6, 2018 Ballot" for the first time by title only.

OLD BUSINESS: Hoffee asked Chief Vaughn if he felt the Amish community was sufficiently educated on the law of tractors/wagons being driven in the Village. Vaughn said the issue was addressed at Amish Safety Days and to the Amish Safety Committee. He noted the Police Department is issuing warnings.

Mayor Huebner asked for discussion on the use of Engine Brakes (Jake) in the Village. He noted he spoke with a truck driver of 50 years, and the driver felt that they were not necessary to be used in Millersburg. The engine brake was originally intended for use on long hills, such as in the mountains. Hofstetter noted he observed a sign in New Albany that read "No Engine Brakes and/or Excessive Engine Noise". Some trucks with modified exhausts, will make a loud noise upon downshifting. A determination of what is to be considered "excessive" would need to be discussed. Solicitor Hines said he would look at the ordinance of New Albany and perhaps Chief Vaughn could speak the New Albany Chief for information.

NEW BUSINESS: Shoemaker asked if the trail at Deer Run Park could be paved. Troyer said, more than likely it could be included with the paving project.

Shoemaker noted the Military Band will be performing at the Court House on Friday, June 29 and the opening ceremony for Vietnam Moving Wall is scheduled for June 29 at 6:30 p.m.

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