

**ENTITY NAME: VILLAGE OF MILLERSBURG**

**BOARD NAME: MILLERSBURG VILLAGE COUNCIL**

**TYPE OF MEETING: Regular**

**VOTING SESSION: Yes**

**DATE: 11/28/2022**

**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**

<b>NAME:</b>		<b>NAME</b>	
Polen	Present	Shoemaker	Not Present
Hoffee	Present	Vaughn	Present
Conn	Present	Hofstetter	Present

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

### **IN ATTENDANCE**

<b>NAME:</b>		<b>NAME:</b>	
Jeff Huebner	Mayor	Nate Troyer	Administrator
Bob Hines	Solicitor	Matt Shaner	Police Chief
Karen Shaffer	Clerk-Treasurer	Melissa Patrick	Visitor
Kevin Lynch	Visitor	Karen Gotter	Visitor
Nick Mullet	Visitor	Mike Gerber	Visitor

### **VISITORS:**

Karen Gotter of Holmes Soil & Water Conservatory District presented Council with an update on the Killbuck Creek logjam project. The logjam behind Walmart was cleared last spring, funded by MWCD. The site has been checked a few times since and there are no signs of additional debris accumulations. Work to remediate jams and debris between Millersburg and Killbuck was scheduled for summer of 2022, however, with the derecho storm that went through, it was determined that upstream sections needed to be monitored first. The Holmes County Commissioners funded the River Rangers to scout the northern section (CR1 to Millersburg), and re-scout the section from Millersburg to Killbuck. One hazard was removed near the pedestrian bridge at the Trail Depot. She also noted an application to MWCD Debris Removal program is currently being assembled by Ho Co SWC to tackle the hazards between Holmesville and Millersburg. In addition, the Appalachian Community Grant program is a source of funding to first attempt a clean sweep of the entire Holmes County stretch. Ho Co SWC will be assembling the project outlines and quotes to be included in the Ho Co application.

Nick Mullet addressed Council on the possible use and approval of ATV/UTV's in the Village. He cited ORC sections that he believes make these vehicles legal to operate in a municipality. Permitting, licensing, insurance, and all other safety equipment would be required. He would like to be able to drive his vehicle from his home outside of the corporation limits into the Village to tend to his property for snow removal and other maintenance issues. Councilman Vaughn noted once a UTV or AV is registered, there are restriction on any road greater than 35mph. Solicitor Bob Hines noted he would need to research the law, as it has been sometime since he has reviewed, and changes could have been made. Council instructed Hines to research the law. Mullet encouraged him to look at what Loudonville and Coshocton are doing and the way they manage these vehicles.

Mike Gerber expressed his gratitude to the Street Department for their efforts during the windstorm clean-up this past summer. He had a large buckeye tree that came down and employees worked fast

and efficiently in removing wood and clean-up around the property. He also thanked Brent Schrock, Holmes Wayne Electric Arborists for his assistance.

**APPROVAL OF PREVIOUS MINUTES**

<b>TYPE OF MEETING:</b>		Regular	
<b>SUSPEND READING OF MINUTES HELD ON:</b>		11/14/2022	
<b>MOTION BY:</b>		Polen	
<b>MOTION SECONDED BY:</b>		Hoffee	
<b>VOTING ROLL CALL:</b>			
Polen	Yes	Hoffee	Yes
Conn	Yes	Vaughn	Yes
Hofstetter	Yes		
<b>VOTING RESULTS:</b>		YES: 5	NO: 0
<b>MOTION TO APPROVE BY:</b>		Vaughn	
<b>MOTION SECONDED BY:</b>		Conn	
<b>VOTING ROLL CALL:</b>			
Vaughn	Yes	Conn	Yes
Hofstetter	Yes	Hoffee	Yes
Polen	Yes		
<b>VOTING RESULTS:</b>		YES: 5	NO: 0

**APPROVAL OF BILLS**

<b>BILL RESOLUTION 2022-28</b>	Bills \$214789.04	Payroll \$48036.27	Total \$262825.31
<b>MOTION BY:</b>		Hofstetter	
<b>MOTION SECONDED BY:</b>		Conn	
<b>VOTING ROLL CALL:</b>			
Hofstetter	Yes	Conn	Yes
Polen	Yes	Vaughn	Yes
Hoffee	Yes		
<b>VOTING RESULTS:</b>		YES: 5	NO: 0

**DEPARTMENT HEAD/OFFICIAL REPORT**

<b>DEPARTMENT:</b>	<b>POLICE DEPARTMENT</b>
<b>REPRESENTATIVE'S NAME:</b>	<b>CHIEF MATT SHANER</b>
Informed Council he had an item for executive session.	

<b>DEPARTMENT:</b>	<b>ADMINISTRATION</b>
<b>REPRESENTATIVE'S NAME:</b>	<b>ADMINISTRATOR NATE TROYER</b>
<p><b>Design Review Board:</b> Informed Council Mike McDowell has resigned from the board. Troyer also noted revisions to the Design Review legislation are ongoing.</p> <p><b>Resurfacing/Sidewalk Projects:</b> Informed Council the ODOT TAP Project legislation previously passed was filed with District 11.</p> <p><b>ARPA Projects:</b> Informed Council plan development continues, and funding options are being explored.</p> <p><b>Demolition Project:</b> Informed Council the County is continuing with projects, title research etc. on the properties on N Crawford St.</p> <p><b>Leaf Collection:</b> Informed Council only bagged leaves are being collected at this time and this will be ending soon.</p> <p><b>Appalachian Community Grant:</b> Informed Council legislation is on the agenda to participate with OMEGA as the lead applicant for the technical grant application part of the funding.</p>	

<b>DEPARTMENT:</b>	<b>MAYOR</b>
<b>REPRESENTATIVE'S NAME:</b>	<b>JEFF HEUBNER</b>
Appointed Brent Schrock to a 3-year term on the Tree City Board beginning Jan. 1 <sup>st</sup> , 2023, and ending Dec.31, 2025. Motion made by Polen to accept the appointment. Seconded by Hofstetter. Upon roll call, motion carried with Polen, Hofstetter, Vaughn, Conn, and Hoffee voting aye. Vote 5 No 0	

**LEGISLATION**

<b>NUMBER:</b> 2022-25		Mayor Huebner gave the third reading by title only.	
<b>TITLE:</b> A Resolution Authorizing The Transfer Of Sums From The General Fund To The Street Maintenance & Repair Fund; To The Cemetery Operating Fund; To The Police Disability And Pension Fund; And To The Sidewalk Replacement Fund			
<b>CLASSIFICATION:</b>		Resolution	
<b>STATUS:</b>		3rd Reading	
<b>MOTION TO:</b>		Pass & Adopt	
<b>MOTION BY:</b>		Vaughn	
<b>MOTION SECONDED BY:</b>		Hoffee	
<b>VOTING ROLL CALL:</b>			
Vaughn	Yes	Hoffee	Yes
Polen	Yes	Hofstetter	Yes
Conn	Yes	Choose an item.	Yes
<b>VOTING RESULTS:</b>		YES: 5 NO: 0	

<b>NUMBER:</b> 2022-103		Mayor Huebner gave the second reading by title only.	
<b>TITLE:</b> An Ordinance Amending The Sewer Ordinance (Chapter 929) To Eliminate The Debt Service Charge			
<b>CLASSIFICATION:</b>		Ordinance	
<b>STATUS:</b>		Suspend 3 <sup>rd</sup> Reading	
<b>MOTION BY:</b>		Polen	
<b>MOTION SECONDED BY:</b>		Conn	
<b>VOTING ROLL CALL:</b>			
Polen	Yes	Conn	Yes
Hoffee	Yes	Hofstetter	Yes
Vaughn	Yes		
<b>VOTING RESULTS:</b>		YES: 5 NO: 0	
<b>MOTION TO:</b>		Pass & Adopt	
<b>MOTION BY:</b>		Hoffee	
<b>MOTION SECONDED BY:</b>		Vaughn	
<b>VOTING ROLL CALL:</b>			
Hoffee	Yes	Vaughn	Yes
Polen	Yes	Hofstetter	Yes
Conn	Yes		
<b>VOTING RESULTS:</b>		YES: 5 NO: 0	

<b>NUMBER:</b> 2022-105		Mayor Huebner gave the first reading by title only.	
<b>TITLE:</b> An Ordinance Vacating a Street Known as Mayers Avenue in the Village of Millersburg			

<b>NUMBER:</b> 2022-106		Mayor Huebner gave the first reading by title only.	
An Ordinance Amending The Sewer Ordinance (Chapter 929) To Add A Capital Improvement Fee			

<b>NUMBER:</b> 2022-29		Mayor Huebner gave the first reading by title only.	
<b>TITLE:</b> A Resolution Authorizing The Ohio Mid-Eastern Governments Association (Omega) To Serve As The Lead Technical Assistance Grant Applicant For The Appalachian Community Grant Program In Holmes County And Declaring An Emergency			
<b>CLASSIFICATION:</b>		Resolution	
<b>STATUS:</b>		Suspend the Rules for 2nd & 3rd Reading	
<b>MOTION BY:</b>		Polen	
<b>MOTION SECONDED BY:</b>		Hoffee	
<b>VOTING ROLL CALL:</b>			
Polen	Yes	Hoffee	Yes

Conn	Yes	Hofstetter	Yes
Vaughn	Yes		
<b>VOTING RESULTS:</b>		YES: 5	NO: 0
<b>MOTION TO:</b>		Pass & Adopt	
<b>MOTION BY:</b>		Hofstetter	
<b>MOTION SECONDED BY:</b>		Vaughn	
<b>VOTING ROLL CALL:</b>			
Hofstetter	Yes	Vaughn	Yes
Polen	Yes	Hoffee	Yes
Conn	Yes		
<b>VOTING RESULTS:</b>		YES: 5	NO: 0

<b>NUMBER:</b> 2022-30	Mayor Huebner gave the first reading by title only.
A Resolution To Amend The Millersburg Personnel Policy Regarding Medical Marijuana	

**NEW BUSINESS**

<b>TOPIC:</b>	Street Lights
<b>PRESENTED BY:</b>	Kelly Hoffee
<b>DISCUSSION:</b> Reported a streetlight is out at 2 Northern Drive. Hofstetter also reported a streetlight out beside Miller's Creamery.	

**EXECUTIVE SESSION**

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

**EXECUTIVE SESSION ACTION**

<b>ACTION:</b> Motion made by Hoffee to hire Bobbie Curry as the Assistant Fiscal Officer at a rate of \$24.04 per hour with a start date of Dec. 5, 2022. Seconded by Conn. Upon roll call, motion carried with Hoffee, Conn, Polen, Vaughn, and Hofstetter voting aye. Vote 5 No 0
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**NEXT SCHEDULED MEETING**

<b>TYPE OF MEETING:</b>	Regular
<b>DATE:</b>	12/12/2022
<b>TIME:</b>	7:00 PM
<b>LOCATION:</b> Council Chambers	6 N Washington St.; Millersburg, OH 44654

**ADJOURNMENT**

<b>MOTION BY:</b>		Polen	
<b>MOTION SECONDED BY:</b>		Hofstetter	
<b>VOTING ROLL CALL:</b>			
Polen	Yes	Hofstetter	Yes
Hoffee	Yes	Vaughn	Yes
Conn	Yes		
<b>VOTING RESULTS:</b>		YES: 5	NO: 0

**MINUTES PREPARED BY**

<b>SIGNATURE:</b> Karen Shaffer	<b>TITLE</b>	<b>DATE</b>
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	Clerk-Treasurer	12/6/2022
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**ATTESTED BY**

SIGNATURE: Karen Shaffer	TITLE	DATE
	Clerk-Treasurer	12/12/2022

**CERTIFICATION**

SIGNATURE: Jeff Huebner	TITLE	DATE
	Mayor	12/12/2022