

PUBLIC HEARING ZONING CHANGE

December 28, 2020

The Council of the Village of Millersburg met for a Public Hearing (via ZOOM/YouTube) on December 28 at 6:50 p.m. Mayor Huebner called the hearing to order. Council members in attendance were: Devone Polen, Brent Hofstetter, Tom Vaughn, Robert Shoemaker, Kelly Hoffee, and Brad Conn. Solicitor Robert Hines was also in attendance.

The purpose of the hearing was for Council to accept public comments on the proposed zoning change requested by Kurt McDowell and Morgan Durst (Bird Property) to change the zoning of two parcels (9 acres) from B-2 Highway Commercial to I-Industrial to allow for mining for aggregate removal to be sold out of the location. The property is located adjacent to South Washington Street and C.R. 58. After mining is complete, a request for zoning change will be submitted to change the zoning back to Commercial for future use.

No comments were submitted to the Village.

Mayor Huebner closed the hearing.

REGULAR SESSION OF COUNCIL

December 28, 2020

The Council of the Village of Millersburg met in regular session via ZOOM on December 28, 2020 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: Devone Polen, Brent Hofstetter, Kelly Hoffee, Tom Vaughn, Robert Shoemaker, and Brad Conn. Solicitor Robert Hines was also in attendance.

MINUTES: Motion made by Polen to suspend the reading of the minutes of Council held 12/14/20. Seconded by Hoffee. Upon roll call, motion carried with Polen, Hoffee, Shoemaker, Conn, Vaughn, and Hofstetter voting aye. Motion made by Shoemaker to accept the minutes as presented. Seconded by Hofstetter. Upon roll call, motion carried with Shoemaker, Hofstetter, Polen, Conn, Hoffee, and Vaughn voting aye.

BILLS: Motion made by Hoffee to pay bill resolution 2020-36 bills \$43986.66; payroll \$51496.38; total \$95483.04. Seconded by Conn. Upon roll call, motion carried with Hoffee, Conn, Hofstetter, Polen, Shoemaker, and Vaughn voting aye.

REPORTS OF OFFICERS

Chief Shaner: Hoffee asked if any new applications are being considered for patrol and dispatch. Chief Shaner noted they have received several applications and are currently proceeding with interviews.

Administrator Troyer: Informed Council the DRB & P&Z Commission will meet January 6, 2021. The DRB will review COA's for signage from Ferox Media, at 95 W. Jackson Street and IT Connect Group at 137 W. Jackson Street. The P&Z will review a plat for Meadow Glen Subdivision Phase 4. This plat will allow for the finalization of Quinn Circle and the lots abutting it. Ultimately, Council will be presented with acceptance legislation of the street and infrastructure.

Informed Council he has no updates on the 2021 Sidewalk project, however, he intends to finalize the 2021 Resurfacing and Sidewalk projects soon to get them out to bid. The 2020 planned resurfacing (that was not completed) will be modified to fit the 2021 appropriation. The 2021 sidewalk project (in-house) will be smaller than usual as we will be incurring additional costs with the TAP project (S. Washington Street sidewalks).

Informed Council Baker Surveying has submitted the first round of alley vacations they have been working on this year. He will be reviewing these (plats and legal descriptions) with Solicitor Hines to get them ready to go through the process to vacate. Affected property owners will be notified prior to beginning this process.

Informed Council there is a storm sewer that runs in an east-west direction north of several of the houses along Northern Drive in Lakeview Addition. To the best of our knowledge, this storm sewer was installed around the same time as this subdivision; however, he has not been able to find any easement or dedication to the Village. He will continue to research this but assuming there is nothing giving the Village access to the storm sewer, he asked if Council would be ok with having Baker Surveying survey the storm sewer, obtain an easement from the property owners, and claim ownership of it. There are several known issues currently (deterioration, etc.) and he has been told we worked on it in the past. In his opinion, it is more appropriate for the Village to maintain it versus the 4 or 5 individual property owners maintaining the portions that are on their property. The length of the storm sewer is approx. 400'. This would

avoid issues in the future if it is not maintained by property owners. Council agreed to move forward with this as a Village project.

Clerk-Treasurer Shaffer: Informed Council she received a quote from Archive Social to administer social media records. Currently, the Village has no means of archiving those records for retention. Archive Social live captures all postings so that the Village would always have access to records, even in the case of postings being deleted by others. Shaffer indicated that she requested a quote from Page Freeze, however, they have not responded. Should Council choose to contract with Archive Social, they have offered a reduction in fees amounting to two (2) months of the subscription cost, if the contract were to be signed by the end of the year. The cost of the standard plan is \$3990 (pro-rated by 2 months) per year. Council agreed the cost outweighs the possibility of those records being be lost. Motion made by Hoffee to enter into the contact with Archive Social. Seconded by Shoemaker. Upon roll call, motion carried with Hoffee, Shoemaker, Conn, Vaughn, Hofstetter, and Polen voting aye.

Mayor Huebner: Informed Council Brad Conn opted out of becoming the at-large representative of the Village to sit on Holmes Fire District #1 Board. Kelly Hoffee previously volunteered for the position. Mayor Huebner appointed Hoffee to the board.

LEGISLATION: Mayor Huebner read Resolution 2020-32 "A Resolution Setting Wages and Salaries for Elected Officials, Salaried and Hourly Employees of the Village of Millersburg, and to Define Vacations, Sick Leave and Holidays" for the third time by title only. Motion made by Hoffee to pass and adopt Resolution 2020-32. Seconded by Polen. Upon roll call, motion carried with Hoffee, Polen, Hofstetter, Shoemaker, Conn, and Vaughn voting aye.

Mayor Huebner read Resolution 2020-33 "A Resolution Authorizing the Purchase of Real Estate" for the third time by title only. Motion made by Shoemaker to pass and adopt Resolution 2020-33. Seconded by Hofstetter. Upon roll call, motion carried with Shoemaker, Hofstetter, Conn, Polen, Vaughn, and Hoffee voting aye.

Mayor Huebner read Resolution 2020-34 "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 Pension Fund; To the Accumulated Leave Fund; And to the Sidewalk Replacement Fund" for the third time by title only. Motion made by Polen to pass and adopt Resolution 2020-34. Seconded by Hoffee. Upon roll call, motion carried with Polen, Hoffee, Hofstetter, Vaughn, Shoemaker, and Conn voting aye.

Mayor Huebner read Ordinance 2020-103 "An Ordinance to Make Appropriations for Current Expenses and Other Expenditures of the Village of Millersburg, State of Ohio, During the Fiscal Year Ending December 31, 2021" for the third time by title only. Motion made by Vaughn to pass and adopt Ordinance 2020-103. Seconded by Hofstetter. Upon roll call, motion carried with Vaughn, Hofstetter, Polen, Hoffee, Shoemaker, and Conn voting aye.

Mayor Huebner read Ordinance 2020-104 "An Ordinance Amending Zoning Map (Zoned Territory) of The Village of Millersburg" for the first time by title only.

OLD BUSINESS: Shoemaker asked that he and the Administrator meet to work on getting letters out regarding vacant properties. Troyer agreed to meet to work on the project.

Shoemaker asked if there were any updates on the MWSCD matter. Troyer indicated the Soil & Water District; the Park District; the County; and the Village are working on it. A company came in and completed a fly over using drones. The Village is currently working with the County on funding to address log jam issues. Shoemaker noted there are areas that need dredging completed. Troyer noted that in reality, that will probably will not happen through MWSCD.

Hoffee noted that water run-off on N. Crawford St. at the property owned by Dan & Jen Miller is creating issues. The gravel is washing away and has created a drop in the ground level. Vehicles are scraping bottom now. Troyer indicated he would have the Street Dept. staff lay in some grindings or berm as a temporary fix until spring when paving/sidewalk/concrete work can begin.

Conn brought up for discussion the possibility of creating a board to address and monitor vacant buildings. It was explained that the Village has a Vacant Building Ordinance in place. If the building is for rent or for sale, fines and penalties are not assessed. Hoffee suggested Council revisit the ordinance at a later date and add some language so that there is more "teeth" in enforcing the vacancies.

EXECUTIVE SESSION: Motion made by Polen to adjourn into Executive Session to consider the purchase or sale of public property if the public interest would be hurt by the premature disclosure of the information. Seconded by Hofstetter. Upon roll call, motion carried with Polen, Hofstetter, Vaughn, Shoemaker, Hoffee, and Conn voting aye.

EXECUTIVE SESSION ACTION: None.

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 _____

Karen Shaffer, Clerk-Treasurer

Jeff Huebner, Mayor