

The Council of the Village of Millersburg met in regular session on July 13, 2009 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, Mike Uhl, Junior Vaughn, Greg Hardesty, Jim Beechy, and Ruby Baird. Solicitor Hines was also present.

VISITORS: Marcella Patterson of 441 Wise St. addressed Council regarding the Village mowing ordinance. An alley running north and south adjacent to her property has not been mowed by the Village. She has mowed the alley for the last few years and asked why the Village does not have to follow the ordinance they passed. Solicitor Hines explained how the alleys were laid out years ago. He noted that just because it is listed as an alley on a tax map, it does not necessarily require the Village to maintain them. The alley would need to have been dedicated to the Village or been improved by the Village. Until one of those items occurs, the Village does not maintain them. Zoning Inspector Troyer also noted that it just an alley on paper. Solicitor Hines informed Patterson of one option she has. She could ask for the alley to be vacated, at her expense, and then the alley would be divided between adjoining property owners. Patterson noted she would consider her options.

MINUTES: Motion made by Beechy to suspend the reading of the minutes of the previous meeting. Seconded by Hardesty. Upon roll call, motion carried with Beechy, Hardesty, Baird, Vaughn, Uhl, and Polen voting aye. There were no additions or corrections. Motion made by Baird to accept the minutes as presented. Seconded by Hardesty. Upon roll call, motion carried with Baird, Hardesty, Polen, Uhl, Vaughn, and Beechy voting aye.

BILLS: Motion made by Uhl to pay bill resolution 2009-30 bills' \$55865.67, payroll \$98201.92; total \$154067.59. Seconded by Vaughn. Upon roll call, motion carried with Uhl, Vaughn, Hardesty, Polen, Beechy, and Baird voting aye.

REPORTS OF OFFICERS

Administrator Brooks: Informed Council Poggemeyer Design Group was selected for the construction administration for the SR 83 South Sidewalk project. Contract negotiations are on going and pending ODOT approval, a recommendation will be made to Council at the next meeting. The project is scheduled to be bid on Tuesday, July 21. The project must bid for 21 days and the bid must again be approved by ODOT. Pending ODOT approval of the bid award, we anticipate construction to begin mid September.

Informed Council a no interest loan of \$200,500 has been procured from OPWC for the Northern Well Field project. This will allow the Village to complete Phase II as well as Phase I immediately. The project plans are at the EPA awaiting approval for the entire project. Once approved, the project will go to bid. The bid date is expected to be on or around July 21 with construction to begin late August, early September. In addition, CTI has prepared an additional contract to include Phase II grant administration, bidding services, and full time project representation, at a cost not to exceed \$40,000. Motion made by Beechy to approve the contract. Seconded by Vaughn. Upon roll call, motion carried with Beechy, Vaughn, Polen, Uhl, Hardesty, and Baird voting aye.

Informed Council Septage Receiving for June is \$5,285.00.

Informed Council he received a quote from Shirts & Signs to replace the directional parking signs for \$110.00 each. Four signs would be placed on SR 39 at Washington and at Clay. Village Bed Tax Discretionary money would be used. Council opted to wait on the purchase.

Informed Council of two Credit Requests: 1.) Louis Ritchey owner of 35 South Mad Anthony Street, Acct #1767.00. The water was shut off inside the house. The shut off valve failed and 315,000 gallons of water was used. The water did not go down the sewer system. A credit is requested in the amount of \$651.00 for the portion of the sewer bill which did not go down the sewer system. 2.) Donald Holderbaum owner of 487 Hebron Street, Acct #1821.00. The service line to the home was leaking. It was estimated that 10,000 gallons of water was used due to the leak. The water did not go down the sewer system. A credit is requested of \$21.00 for the portion of the sewer bill which did not go down the sewer system. Motion made by Polen to approve both credit requests. Seconded by Uhl. Upon roll call, motion carried with Polen, Uhl, Vaughn, Hardesty, Beechy, and Baird voting aye.

Informed Council they are all invited to an open house at "Robins Terrace" on July 22, from 10:00 a.m. to Noon.

Informed Council Brown's Trash Service has provided flyers for new recycling rules.

Clerk-Treasurer Shaffer: Presented the June 2009 Financial reports consisting of the Bank Reconciliation; Appropriation Summary, Fund Summary, Revenue Summary, Payment Summary, and Payroll. There were no questions or comments.

Informed Council Northside Baptist Church is sponsoring a "Fun Night" at Crissey Pool. They are asking Council to consider waiving the associated fees. Motion made by Beechy to waive the fees for Northside Baptist Church. Seconded by Hardesty. Upon roll call, motion carried with Beechy, Hardesty, Baird, Vaughn, Uhl, and Polen voting aye.

LEGISLATION: Mayor Huebner read Resolution 2009-24 "A Resolution To Allow The Mayor To Sign A Quit-Claim Deed Regarding A Ten Foot Strip Of Property In The Village" for the third time by title only. Motion made by Vaughn to pass and adopt Resolution 2009-24. Seconded by Beechy. Upon roll call, motion carried with Vaughn, Beechy, Baird, Hardesty, Uhl, and Polen voting aye.

Mayor Huebner read Resolution 2009-28 "A Resolution To Authorize The Sale Of Municipal Tangible Personal Property Through Internet" for the second time by title only.

Mayor Huebner read Ordinance 2009-106 "An Ordinance Amending Zoning Map (Zoned Territory) Of The Village Of Millersburg" for the first time by title only.

Mayor Huebner read Resolution 2009-31 "An Ordinance Amending The Village's Employee Residency Requirements" for the first time by title only.

EXECUTIVE SESSION: Motion made by Polen to adjourn into executive session to discuss personnel and public employee's compensation. Seconded by Uhl. Upon roll call, motion carried with Polen, Uhl, Vaughn, Hardesty, Beechy, and Baird voting aye.

ADDITIONAL BUSINESS: Motion made by Uhl to approve the 2010 Annual Tax Budget. Seconded by Beechy. Upon roll call, motion carried with Uhl, Beechy, Baird, Hardesty, Vaughn, and Polen voting aye.

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

Date approved

Karen Shaffer, Clerk- Treasurer

Jeff Huebner, Mayor