



VILLAGE OF MILLERSBURG

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Jeff Huebner, Mayor

Kevin Brooks, Village Administrator
Karen Shaffer, CMC, Village Clerk-Treasurer, Tax Administrator
S. Thomas Vaughn, Police Chief
Nate Troyer, Zoning Inspector

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The Council of the Village of Millersburg met in regular session on October 25, 2010 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. Village Solicitor Robert Hines was also present.

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 Beechy. Upon roll call, motion carried with Baird, Beechy, Polen, Uhl, Vaughn, and Hardesty voting aye.

BILLS: Motion made by Uhl to pay bill resolution 2010-44 bills' \$40766.82, payroll \$43003.55; total \$83770.37. Seconded by Beechy. Upon roll call, motion carried with Uhl, Beechy, Baird, Hardesty, Vaughn, and Polen voting aye.

REPORTS OF OFFICERS:

Administrator Brooks: Updated Council on the E. Jones. St. Reconstruction project. The base for paving is down; under drains are set and the bank seeding is complete. It is anticipated the new roadway will be paved this week and the project completed prior to November 12th. One change order for the project was submitted in the amount of \$6000.00 for additional tree removal, seeding, and material and labor on relocating a waterline service. Motion made by Uhl to approve the change order. Seconded by Beechy. Upon roll call, motion carried with Uhl, Beechy, Baird, Hardesty, Vaughn, and Polen voting aye.

Reminded Council the Halloween Parade is scheduled for Thursday, October 28th, at 7:00 p.m. sponsored by American Legion.

Reminded Council the HDM event, "Boo in the Burg" is Saturday, October 30th.

Announced for public information the Village requires property owners to receive permission prior to removing trees in the tree lawn. However, the Village does not provide or pay for the trees to be removed. The tree lawn is part of the property and while the Village maintains a road right of way it is not Village owned property.

Announced for public information the Village does not provide grant funding for commercial or private property owners to repair, renovate, or expand their property.

Informed Council he is recommending they award a contract to CTI to perform the WWTP Capacity Study, contingent upon contract negotiations. Solicitor Hines will negotiate with CTI. Motion made by Beechy to approve Solicitor Hines negotiating with CTI. Seconded by Hardesty. Upon roll call, motion carried with Beechy, Hardesty, Polen, Uhl, Vaughn, and Baird voting aye.

Informed Council the Village installed a section of guardrail on Forlow St. per the agreement with Atlee Sommers. Atlee has agreed to reimburse the Village for all material costs in the amount of \$355. This was part of the alley vacation negotiations between the Village and Sommers. Solicitor Hines noted the alley vacations are no longer being contested and whenever the Village receives the filing from Steimel Law Office, Council will need to set a public hearing date.

Informed Council JY Rentals owner of property at 61 Quail Street (Acct 0737.00) had a leak in the sink that went into the basement and ran out on the ground. A total of 27,000 gallons of water was used. The quarterly average for this home is 17,000; therefore, a credit of \$21.00 for the sewer portion of the bill is requested. Motion made by Hardesty to approve the credit request. Seconded by Polen. Upon roll call, motion carried with Hardesty, Polen, Uhl, Vaughn, Beechy, and Baird voting aye.

Informed Council he met with Judy Seidel last week. She and her sister were visiting the area and met with him regarding the possibility of placing a memorial bench in Millersburg. Their mother was born and raised in Millersburg and they would like to donate one with a plaque in her memory. They will present a formal proposal in the near future. The women also met with Joe Arthur about placing the bench at the courthouse.

Clerk-Treasurer Shaffer: Informed Council the ODNR grant funds (\$24,287) were received for the Deer Run Basketball Court project. Shaffer noted the money is deposited into the DeHass Estate fund and \$14,000 of that will be re-paid to the General Fund which advanced money earlier in the project.

LEGISLATION: Mayor Huebner read Ordinance 2010-105 "An Ordinance Amending Codified Ordinance 135.02 Of The Village Of Millersburg, Ohio To Increase The Furtherance Of Justice Fund Allowance" for the third time by title only. Motion made by Beechy to pass and adopt Ordinance

2010-105. Seconded by Polen. Upon roll call, motion carried with Beechy, Polen, Uhl, Vaughn, Hardesty, and Baird voting aye.

Mayor Huebner read Resolution 2010-40 “A Resolution Authorizing The Transfer Of Sums From The Water Operating Fund To The Water Repair And Improvement Fund” for the third time by title only. Motion made by Uhl to pass and adopt Resolution 2010-40. Seconded by Baird. Upon roll call, motion carried with Uhl, Baird, Polen, Vaughn, Hardesty, and Beechy voting aye.

Mayor Huebner read Resolution 2010-41 “A Resolution Authorizing The Transfer Of Sums From The Sewer Operating Fund To The Sewer Repair And Improvement Fund” for the third time by title only. Motion made by Polen to pass and adopt Resolution 2010-41. Seconded by Hardesty. Upon roll call, motion carried with Polen, Hardesty, Baird, Beechy, Vaughn, and Uhl voting aye.

Mayor Huebner read Resolution 2010-45 “A Resolution To Allow The Mayor To Sign A Letter Allowing An Encroachment On West Jones Street On Behalf Of The Village” for the first time by title only. Motion made by Baird to suspend the rules requiring the second and third reading of Resolution 2010-45. Seconded by Beechy. Upon roll call, motion carried with Baird, Beechy, Polen, Uhl, Vaughn, and Hardesty voting aye. Motion made by Hardesty to pass and adopt Resolution 2010-45. Seconded by Polen. Upon roll call, motion carried with Hardesty, Polen, Baird, Beechy, Vaughn, and Uhl voting aye.

Mayor Huebner read Emergency Resolution 2010-46 “A Resolution Authorizing The Village Of Millersburg To Enter Into The Existing Agreement Among City And County Governments Of Wayne And Medina Counties For A Regional Council Of Governments Pursuant To The Provisions Of The Ohio Revised Code Section 167.01 Concerning The Financing And Administration Of The Medway Drug Enforcement Agency” for the first time by title only. Motion made by Uhl to suspend the rules requiring the second and third reading of Emergency Resolution 2010-46. Seconded by Polen. Upon roll call, motion carried with Uhl, Polen, Vaughn, Hardesty, Beechy, and Baird voting aye. Motion made by Beechy to pass and adopt Emergency Resolution 2010-46. Seconded by Polen. Upon roll call, motion carried with Beechy, Polen, Baird, Hardesty, Vaughn, and Uhl voting aye. Don Hall, Sr. Agent with Medway was in attendance to thank Council for joining with them on drug enforcement. Hall briefly explained the workings of Medway.

Mayor Huebner read Resolution 2010-47 “To Approve An Annexation Agreement That Will Ultimately Result In The Annexation Of 37.297 Acres Owned By The Millersburg Growth Company LTD./Cheryl L. Bird Thomas K. Bird Into The Village Of Millersburg” for the first time by title only. Motion made by Beechy to suspend the rules requiring the second and third reading of Resolution 2010-47. Seconded by Baird. Upon roll call, motion carried with Beechy, Baird, Hardesty, Vaughn, Uhl, and Polen voting aye. Motion made by Hardesty to pass and adopt Resolution 2010-47. Seconded by Polen. Upon roll call, motion carried with Hardesty, Polen, Uhl, Vaughn, Beechy, and Hardesty voting aye.

Mayor Huebner read Emergency Resolution 2010-48 “A Resolution Authorizing The Transfer Of Sums From The General Fund To The Cemetery Operating Fund And Declaring An Emergency” for the first time by title only. Motion made by Vaughn to suspend the rules requiring the second and third reading of Emergency Resolution 2010-48. Seconded by Beechy. Upon roll call, motion carried with Vaughn, Beechy, Baird, Hardesty, Uhl, and Polen voting aye. Motion made by Uhl to pass and adopt Emergency Resolution 2010-48. Seconded by Hardesty. Upon roll call, motion carried with Uhl, Hardesty, Polen, Vaughn, Beechy, and Baird voting aye.

EXECUTIVE SESSION: Motion made by Polen to adjourn into executive session to confer with public body’s attorney. Seconded by Beechy. Upon roll call, motion carried with Polen, Beechy, Uhl, Vaughn, Hardesty, and Baird voting aye. (Kevin Vaughn was asked to remain for executive session.)

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