



# 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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The Council of the Village of Millersburg met in regular session on March 12, 2012 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 in attendance.

**VISITORS:** Tom Wilke, HDM Manager, asked Council for \$5000 in discretionary bed tax money. The money will be used for the down payment on the fireworks and for advertising for the July 4<sup>th</sup> activities. Wilke noted HDM secured \$10,000 from the tourism bureau for the remaining cost of the fireworks. Motion made by Uhl to award the \$5000 in discretionary bed tax funds. Seconded by Beechy. Upon roll call, motion carried with Uhl, Beechy, Polen, Vaughn, Hardesty, and Baird voting aye.

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

**BILLS:** Motion made by Uhl to pay bill resolution 2012-09, bills' \$41519.44; payroll \$33912.60; total \$75432.04. Seconded by Beechy. Upon roll call, motion carried with Uhl, Beechy, Hardesty, Baird, Vaughn, and Polen voting aye.

#### REPORTS OF OFFICERS:

**Administrator Troyer:** Updated Council on the New Pointe Church/Fairgrounds Utility Extensions. The water line construction and testing is complete. The contractor is finalizing the sanitary sewer tie in pending approval of a change order. The Village is providing inspection services for this project with the developer providing 100% of the infrastructure costs. In an unrelated matter, Troyer noted another extension request was received for the western edge of town. More information will be provided as it becomes available.

Updated Council on the Autumn Run Development. The water line and sanitary sewer main extensions are completed. They have started on the site work.

Informed Council the water contract was forwarded to LBG Land Services. To date, no action has taken place.

Informed Council the Utility Department read meters the week of March 5th. In a related Utility Department matter, the February Septage Receiving totaled 126,650 gallons in the amount of \$7949.50

Reminded Council of the Public Hearing scheduled for March 26<sup>th</sup> at 6:55 for the rezoning of 788 E. Jackson Street from R-2 to SU District.

Informed Council on Wednesday, March 7<sup>th</sup>, the DRB approved three Certificate of Appropriateness requests: 1.) Chamber of Commerce-basement exit, opening of 4 windows on east side of building and loading dock modification at their new location; 2.)Mama Bears Coffee Shop-signage; 3.)Kellogg Law Office and Classic Rewind-signage.

Informed Council he and Karen attended the Tier II training in Columbus on February 28<sup>th</sup> as well as held an organizational meeting on Thursday, March 8<sup>th</sup> with Arnie Oliver, Shawn Starlin, and Mary Hoxworth from the County to determine roles in the administration of the grant and get the application process rolling.

Informed Council AEP was in town on Wednesday, March 7<sup>th</sup> to install a few more of the lights. All of the lights should be completed in the near future. Our street lighting bill for February was \$4608.77 as compared to the January bill of \$5786.59.

We have a resolution on the agenda tonight to pass the cost of electrical service at Deer Run Park on to the West Holmes Youth Baseball during their season. Troyer indicated he spoke with the group and they are aware of the legislation. In a related ball field matter, Troyer informed Council that the Village currently charges \$50 per day to other groups using the ball field lights. Council was asked to consider increasing the fee to \$100. With little discussion, a motion was made by Uhl to increase the fee to \$100. Seconded by Hardesty. Upon roll call, motion carried with Uhl, Hardesty, Baird, Beechy, Vaughn, and Polen voting aye.

Informed Council the Village received the annual pool license fee from the Health Department and we will need to decide what we want to do this year as far as a renewal. The fee is \$465.00 as compared to \$412.00 for 2011. If we do not renew the license, we would lose our operational status at the pool and would be required to bring everything into compliance with all the current codes and regulations. Troyer indicated there are three options. 1.) Do nothing (after 12 consecutive months, required to bring up to code). 2.) Wait and between now and next March, penalty of 25% on the local fee will apply (\$95). 3.) Pay the renewal fee now. Troyer indicated that preliminary estimates to reopen the pool in the 2013 season are in the \$20,000 range for paint/crack sealing, repairs, and it is unknown what condition the pumps and filter system will be in. Council opted to review the issue at the next meeting.

Informed Council a decision needs to be made on mosquito spraying for this year. Holmes Pest Control needs to know by March 15<sup>th</sup> to order their chemicals. Costs typically run between \$10,000 and \$12,000 per season for spraying. Troyer noted Killbuck does their own spraying, while surrounding the communities of Holmesville, Baltic, Sugar creek, and Apple Creek do not provide spraying for residents. Doctor McFadden, Holmes County Health Commissioner, was present to provide information to Council. McFadden noted that while spraying is the most viable solution, he understands that fiscally the Village is not able to do so. The West Nile virus is not as prevalent as it once was and encephalitis is more of a forest mosquito of which spraying would have no effect on. McFadden said the Health Department recommends that individuals take responsibility by applying mosquito spray, wearing long sleeves, and eliminating standing water. The severity of mosquitoes depends not on torrential rainfalls, but very frequent rain drizzle. There are also tablets that can be placed in large areas of standing water to assist with the control as well. McFadden told Council that if they opted to eliminate spraying, the Health Department would work with the Village on a solution if a high level outbreak occurs. Mayor Huebner suggested a motion be made to eliminate mosquito spraying. A motion was made by Beechy to eliminate mosquito spraying for the 2012 season. Seconded by Baird. Motion carried with Beechy, Baird, Uhl, and Vaughn voting aye. Polen and Hardesty voted nay. Troyer noted that the Park District was informed of the potential to eliminate the spraying, including the trail. They will explore their options.

**Clerk-Treasurer Shaffer:** Presented the February 2012 Financial reports consisting of the Bank Reconciliation; Appropriation Summary, Fund Summary, Revenue Summary, Payment Summary, and Payroll. There were no questions or comments.

Shaffer also noted several phone calls were received regarding the trash bill now in the name of Kimball. For informational purposes to residents, J & J Refuse (previous billing name) is owned by Kimball. They are now billing under Kimball instead of J & J.

**LEGISLATION:** Mayor Huebner read Ordinance 2012-100 “An Ordinance Correcting A Procedural Error, Thus Amending Section 1355.04 Of The Millersburg Ordinances” for the third time by title only. Motion made by Beechy to pass and adopt Ordinance 2012-100. Seconded by Hardesty. Upon roll call, motion carried with Beechy, Hardesty, Polen, Uhl, Vaughn, and Baird voting aye.

Mayor Huebner read Emergency Ordinance 2012-102 “An Ordinance To Add Chapter 1321 To The Codified Ordinances Of The Village Of Millersburg, Ohio, And Declaring An Emergency” for the first time by title only. Motion made by Polen to suspend the rule requiring the second and third readings of Ordinance 2012-102. Seconded by Baird. Upon roll call, motion carried with Polen, Baird, Beechy, Hardesty, Vaughn, and Uhl voting aye. Motion made by Uhl to pass and adopt Ordinance 2012-102. Seconded by Hardesty. Upon roll call, motion carried with Uhl, Hardesty, Polen, Vaughn, Beechy, and Baird voting aye.

Mayor Huebner read Emergency Resolution 2012-10 “A Supplemental Appropriation Resolution For The Capital Project SR 83 Sidewalk Improvement Fund And Declaring An Emergency” for the first time by title only. Motion made by Beechy to suspend the rules requiring the second and third reading of Resolution 2012-10. Seconded by Polen. Upon roll call, motion carried with Beechy, Polen, Uhl, Vaughn, Hardesty, and Baird voting aye. Motion made by Baird to pass and adopt Resolution 2012-10. Seconded by Hardesty. Upon roll call, motion carried with Baird, Hardesty, Beechy, Vaughn, Uhl, and Polen voting aye.

Mayor Huebner read Emergency Resolution 2012-11 “A Resolution Authorizing The Transfer Of Sums From The General Fund To The Street Maintenance And Repair Fund And Declaring An Emergency” for the first time by title only. Motion made by Hardesty to suspend the rules requiring the second and third reading of Resolution 2012-11. Seconded by Beechy. Upon roll call, motion carried with Hardesty, Beechy, Polen, Uhl, Vaughn, and Baird voting aye. Motion made by Vaughn to pass and adopt Resolution 2012-11. Seconded by Baird. Upon roll call, motion carried with Vaughn, Baird, Beechy, Hardesty, Uhl, and Polen voting aye.

Mayor Huebner read Emergency Resolution 2012-12 “A Resolution To Require West Holmes Youth Baseball (FKA Millersburg Little League) To Pay For Electricity And Food Service License At Deer Run Park And Declaring An Emergency” for the first time by title only. Motion made by Beechy to suspend the rules requiring the second and third reading of Resolution 2012-12. Seconded by Polen. Upon roll call, motion carried with Beechy, Polen, Uhl, Vaughn, Hardesty, and Baird voting aye. Motion made by Uhl to pass and adopt Resolution 2012-12. Seconded by Hardesty. Upon roll call, motion carried with Uhl, Hardesty, Baird, Beechy, Vaughn, and Polen voting aye.

**OLD BUSINESS:** Mayor Huebner asked Council for discussion on further service reductions as well as some option for additional revenue since the income tax increase failed. The annual clean-up day was the first item. Since Kimball’s trash service will pick up an unlimited amount of refuse, a motion was made Beechy to eliminate the annual spring clean-up day. Seconded by Baird. Upon roll call, motion carried with Beechy, Baird, Polen, Uhl, Vaughn, and Hardesty voting aye. Mayor Huebner introduced other items such as leaf pick-up; enacting a \$15 license tax fee (per plate); property owner assessment for street paving; and adding a streetlight fee to all utility bills of \$15 per quarter. Another item to consider is to put the tax increase back on the ballot in November. Mike Uhl, Finance Committee Chairman, suggested they meet to discuss the options. A committee meeting was scheduled for March 15, 2012 at 5:45pm. Mayor Huebner asked if any visitors had any comments on the proposals. Brent Hofstetter agreed that no one likes to see additional fees or taxes, but with the financial condition of the Village, the reductions and additional revenue has to come from somewhere. Beechy said that they need to review everything and determine what the best solution is financially and for the community.

**EXECUTIVE SESSION:** Motion made by Beechy to adjourn into Executive Session to discuss the acquisition and/or sale of real estate. Seconded by Hardesty. Upon roll call, motion carried with Beechy, Hardesty, Baird, Vaughn, Uhl, and Polen voting aye.

**EXECUTIVE SESSION ACTION:** None.

**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.

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Date approved

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Karen Shaffer, Clerk-Treasurer

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Jeff Huebner, Mayor