



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*

Village Offices (330) 674-1886

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Police Department (330) 674-5931

The Council of the Village of Millersburg met in regular session on March 26, 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.

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

BILLS: Motion made by Uhl to pay bill resolution 2012-13, bills' \$67320.10; payroll \$36625.49; total \$103945.59. Seconded by Hardesty. Upon roll call, motion carried with Uhl, Hardesty, Polen, Vaughn, Beechy, and Baird voting aye.

REPORTS OF OFFICERS:

Chief Vaughn: Introduced Brad Conn, Captain of the Police Auxiliary. Conn told Council the Auxiliary voted to donate \$8000 to the Police Department to be used towards the purchase of a police cruiser. Members of the Auxiliary have worked for three years raising money by working security at various functions including the high school sporting events. Conn noted the Auxiliary was formed in 1961 with the purpose of donating the funds they raised for the "Good of the Public". The donation was approved as they felt there is a real need in the Police Department for bringing up to date their vehicle. Mayor Huebner and Council thanked Conn and the Auxiliary for their generous donation.

Administrator Troyer: Informed Council the P&Z Commission will hear a variance request for the replacement of a garage at 42 Northern Drive on Wednesday, April 4th.

Informed Council he received a request from 3 Feathers at the last DRB meeting to have Oak Hill Cemetery and Port Washington Road formally recognized by Council as historic areas. Both areas meet several of the requirements of section 1349.15 of the Design Review Code to be recognized as historic areas. This would require the Village to schedule a public hearing on the matter, passing an ordinance of recognition and notification to the appropriate county and state offices if approved. Council agreed to schedule a hearing at a date to be determined. Solicitor Hines will research what legislation will be needed.

Informed Council the County has prepared and will publish the legal notices for the environmental review and release of funds for Tier II grant. We continue finalizing the front end documents of the grant and anticipate receiving the funds and starting the actual application process in the next 1 ½ - 2 months.

Informed Council AEP has notified us that they found 3 additional lights in town that are on our bill and are 200 watt fixtures. These lights are located in the Hub parking lot. We gave AEP permission to change these lights to 100 watt fixtures, add them to the regular street lighting bill and eliminate this account. Council had no objections.

Informed Council the annual membership in the Chamber of Commerce is coming due. The fee is \$145.00 and Troyer asked Council if they desired to renew the membership. After brief discussion, Council opted to forgo the membership for this year.

Informed Council Mary Tish, at 359 North Mad Anthony Street, is requesting permission to remove a dead/dying tree. This is the southern tree of the 2 located in front of her house. Motion made by Uhl to approve the tree removal at the property owner's expense. Seconded by Beechy. Upon roll call, motion carried with Uhl, Beechy, Baird, Hardesty, Vaughn, and Polen voting aye.

Informed Council Millersburg United Methodist Church is requesting permission to hold their annual Easter Sunrise Service at Oak Hill on Sunday, April 8th. Motion made by Beechy to approve the request. Seconded by Hardesty. Upon roll call, motion carried with Beechy, Hardesty, Polen, Uhl, Vaughn, and Baird voting aye.

Informed Council a decision needs to be made on the Swimming Pool license fee Troyer noted there are three options. 1.) Renew now for \$465.00; 2.) Renew before next May for \$561.25 (includes a 25% penalty on local portion of the fee); or 3.) Let the license expire (12+ months w/o renewal) which would require us to meet all applicable codes and regulations. The second option gives us much more time to make a decision if something were to change with the condition of the general fund, without paying the renewal fee right now. With Council discussion, it was agreed that the fee should not be paid at this time, and Council will determine by May 2013 if the Village is in a better financial position to re-open the pool.

Informed Council as a result of the Finance Committee meeting held Thursday, March 15th, he ran numbers on what could be expected if the Village were to assess property owners for paving the streets. These numbers are based on a 2" mill and fill. Troyer calculated 10 streets in town (some at random and some on need) and came up with a range of \$15.55 per foot of frontage to \$25.47 per foot of frontage. The average of the 10 streets used was \$18.63 per foot of frontage. Troyer cautioned that these are estimates as paving prices fluctuate and more precise figures would be available at the actual time of paving. To follow are the 10 streets he used and the estimated amount per foot of frontage each property owner would be responsible for: Maxwell Avenue: \$15.98/ft.; Cary Street: \$16.58/ft.; N. Washington St.: \$25.47/ft.; S. Washington St.: \$22.37/ft.; N. Monroe St.: \$17.37/ft.; S. Monroe St.: \$21.95/ft.; Lakeview Drive: \$16.74/ft.; Spring Drive: \$17.44/ft.; Northern Drive: \$15.55/ft.; and Sunset Drive: \$16.83/ft.

Informed Council Brett Bowman gave his two weeks notice on Monday, March 19th, that he will be leaving the Street Department to accept another job. His last day with us will be Friday, March 30, 2012. Motion made by Beechy to accept Bowman's resignation in good standing effective March 30, 2012. Seconded by Vaughn. Upon roll call, motion carried with Beechy, Vaughn, Polen, Uhl, Hardesty, and Baird voting aye.

COMMITTEE REPORTS: Mike Uhl, Chairman of the finance committee presented the report from the meeting held March 15, 2012. The committee is recommending several items relating to service cuts and ways to generate future revenue. The committee recommends the following to Council; 1.) Eliminate Village wide leaf pickup (bagged leaves will be picked up and disposed of by Kimball); 2.) Adopt a "Street Light Fee" of \$15 per quarter to be added to all utility bills (with the exception of "availability only" accounts) effective with the 3rd quarter billing; 3.) Adopt a \$15 license plate fee for all registered vehicles within the Village effective January 1, 2013. Motion made by Polen to accept the minutes of the Finance Committee. Seconded by Beechy. Upon roll call, motion carried with Polen, Beechy, Baird, Hardesty, Vaughn, and Uhl voting aye.

OPEN DISCUSSION: Mayor Huebner invited comments from the visitors. Visitors in attendance were Brent & Jennifer Hofstetter, David Shrock, Chuck Chase, Robert Shoemaker, Marcella Patterson, Rich Derrickson, Terry Ladrach, Adam Ladrach, Tom & Erika Rottman, Frank Miller, Ralph Sechrist, Betty Patterson, Arlie Rodhe, and Tammi Hogle.

The first item of discussion was the \$15 license plate fee. Mayor Huebner stated this additional revenue would strictly be earmarked for maintenance of the streets. Tom Rottman noted he was not opposed to the fee as long as it was used for the streets. Frank Miller suggested crack sealing be done to preserve the streets. Huebner stated the Village used to do crack sealing, but in the last four years were unable to do paving or crack sealing due to lack of funds. Chuck Chase asked why it would not be effective until 2013. Huebner responded that is the earliest date it could be enacted. It was clarified that only vehicles registered in Millersburg would be assessed the fee. Marcella Patterson asked how raising the estimated \$45,000 from the fees would help the economy. Robert Shoemaker stated the Village is doing nothing to generate income, such as creating an industrial park or soliciting new business. Betty Patterson asked how street assessments would work and if they would be an ongoing matter. Street assessment procedures were explained. A motion was made by Beechy to approve the license fee and directing the solicitor to prepare the ordinance. Seconded by Hardesty. Upon roll call, motion carried with Beechy, Hardesty, Polen, Uhl, Vaughn, and Baird voting aye.

The next item discussed was a street light fee of \$15 per quarter to be included on the utility bills. This would generate approx. \$70,000 and would cover the cost of the annual street lighting bills. Chuck Chase suggested turning off some lights to save on costs. Dave Shrock noted that the lights need to be working properly, on when they should be and off during daylight hours. Huebner noted that the Village checked on turning some lights off and AEP would still charge a service fee per month/per light and then a reconnect fee per unit to have them turned back on again and in the long run there wasn't that much of a savings. Chase suggested taking all the lights down and if property owners wanted lighting, they could install their own. Huebner agreed the Village has not looked at taking down the poles. Marcella Patterson noted that by taking down the lights would definitely save money. With no lighting the question of crime was briefly discussed. Tom Rottman asked if police logs would show when any crime was more apt to occur. Chief Vaughn noted those report are available. Rottman also suggested that the lights be turned off at midnight and all traffic signals go to red/yellow flashing. Huebner noted that lights are not billed according to usage, but on a per-light fee. Frank Miller stated that with the debt service already on the utility bills and now adding another \$15, residents are not going to be able to pay bills. Terry Ladrach noted that Council comes to them when they need something, so where do the residents go. It was agreed upon by Council to table the light fee until the next meeting. More information will be obtained from AEP.

The next item discussed was the need for the income tax increase. Chase suggested putting on a ¼% instead of the ½%. The ¼% would raise \$250,000 and Council could use 40% of that to build up fund balances. Sales tax was another question brought up. Solicitor Hines stated that the County Commissioners are the only ones who can enact a sales tax. The Village cannot legally enact one. Marcella Patterson said she realizes it's important to maintain infrastructure, but Council needs to decide what other expenses are vitally important. Ralph Sechriest stated the residents have already spoken on the tax and have said no twice. Some visitors and Council members alike noted that some residents would support the tax if it was for a ¼%. Mayor Huebner reminded everyone that the Village previously held three meetings to discuss options of the income tax, and there was little to no attendance by the residents. Huebner said there are a lot of misconceptions about the Village and things being said without the actual facts being known. He encouraged everyone to contact Council or himself with any questions. Huebner also noted that a property tax was also explored, and Council feels the income tax is a better long term solution. Brent Hofstetter noted that he does not like the fees or taxes anymore than anyone else or Council does, but residents need to realize Council is trying to remedy the shortfalls before they become insurmountable. He said Council will be either chastised either way for whatever decisions they make. Hofstetter noted

that he and his wife have been attending Council meetings for four years, and other than the press, very seldom do any residents attend. Mayor Huebner asked for a vote of Council. A motion was made by Beechy to place the ½% income tax increase back on the ballot in November. Seconded by Uhl. Upon roll call, motion carried with Beechy, Uhl, Polen, Vaughn, Hardesty, and Baird voting aye.

The next item for discussion was the annual leaf pick-up. Rottman felt the leaves should be picked up at least every two weeks. Huebner noted that bagged leaves would be picked up by Kimball along with the regular trash service. Troyer and Rick Hannahs noted that the wear on the vehicles from the dust is costly as well as maintenance to the leaf vacuum. Troyer noted that the elementary school is starting an ongoing garden project and they are asking for leaves to be delivered there to use as compost. With no other discussion, a motion was made by Uhl to approve the elimination of leaf pick-up. Seconded by Hardesty. Upon roll call, motion carried with Uhl, Hardesty, Baird, Beechy, Vaughn, and Polen voting aye.

Other items asked by residents were: Tom Rottman asked if the bulk water sales money could be used for general fund and street fund items. Clerk-Treasurer Shaffer told him it is a state law that revenue derived from the water and sewer departments must remain with those funds and solely used for the operations of those departments. Rottman also made a few suggestions. Since the pool will not be opening, he suggested the Village install a sprinkler head on a fire hydrant at the trail to be used by the children a few hours a day. Another suggestion he had was for Council to only take a token pay of \$1.00 and forfeit the rest of their salaries. Shaffer stated that the Village has checks on that as well. State law prohibits any change in the salaries of Council and Mayor during their term of office. Rottman also told Council that he did not know any of them, with the exception of Polen and Huebner. He suggested they get out around town and make themselves known to the residents. Betty Patterson noted that residents would like to see some cuts in the police department and questioned the need for a cruiser to be driven home a night.

OTHER BUSINESS: A motion was made by Uhl to remove the temporary lay-off status of Ron Henry and Bill Cox and make their status terminated. Seconded by Beechy. Upon roll call, motion carried with Uhl, Beechy, Polen, Vaughn, Hardesty, and Baird 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