



# 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

Income Tax (330) 674-6891

Police Department (330) 674-5931

The Council of the Village of Millersburg met in regular session on May 14, 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, 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 Vaughn to pay bill resolution 2012-165, bills' \$21,939.61; payroll \$36,644.05; total \$58,583.66. Seconded by Uhl. Upon roll call, motion carried with Vaughn, Uhl, Polen, Hardesty, Beechy, and Baird voting aye.

## **REPORTS OF OFFICERS:**

**Administrator Troyer:** The P&Z Commission recommended rezoning the parcel at 872 Wooster Road with the inclusion of the properties at 814 and 838 Wooster Road (Gary Asche & Eric Troyer) from the R-3 Village Residential District to the B-2 Highway Commerce District. The next step in the process is for Council to set a public hearing for the rezoning. Troyer suggested the hearing be held June 25th at 6:50 P.M. Council had no objections.

Informed Council "Antiques in the Alley" and "Second Saturdays in the 'Burg" was held this past Saturday. The Antiques in the Alley event was well attended and the Second Saturday in the 'Burg did fairly well for the first event.

Informed Council we are still waiting on the final agreement for grant administration of the Tier II funding between the County Planning Commission and Village. To date the funds have not been released.

In a related Tier II matter, the Village match for the program was to replace the existing T-12 bulbs in the Village Offices with T-8 bulbs. Troyer indicated he has been researching LED lighting as opposed to using the T-8 bulbs. In doing so, he submitted a pre-application to AEP to see if the LED lights can be approved under the custom portion of the Grid Smart Program. If approved, he will compare the cost, AEP refunds and overall energy savings to determine the best course of action.

Reminded Council at the last meeting he reported that no action had been taken yet on the 2012/13 salt contract by ODOT. On May 3rd Troyer received an email from ODOT stating the contract will be bid again this year with the same criteria as before. Troyer will finalize our updated agreement with Rick Hannahs and submit the agreement for inclusion in the ODOT bid.

Informed Council the Septage Receiving for April was 70,600 gallons taken in for a total of \$4,647.00

Reminded Council they previously approved selling the F-250 from the Utility Department. After discussing this further we have decided that the most efficient use of the

vehicles we have is to convert the F-250 to the water truck, sell the existing water truck and then in the future replace the F-250. I am requesting a motion to approve the sale of the water truck. Motion made by Beechy to sell the water truck. Seconded by Uhl. Upon roll call, motion carried with Beechy, Uhl, Baird, Hardesty, Vaughn, and Polen voting aye.

Informed Council the April street lighting bill was \$3208.65. (Jan.-\$5,786.59, Feb.-\$4608.77, Mar.-\$3050.25). Clerk-Treasurer Shaffer indicated the slight increase from March to April was due to a few more billing days in April.

Informed Council the Village received notice that we need to reappoint a representative to the District 14 Integrating Committee by May 17th. Troyer indicated he was willing to sit on the committee. Motion made by Beechy to appoint Nate Troyer to the District 14 Integrating Committee. Seconded by Polen. Upon roll call, motion carried with Beechy, Polen, Uhl, Vaughn, Hardesty, and Baird voting aye.

Informed Council Mary Mullett of 107 Brambly Hedge has another leak in the water lines underneath her condo. The average usage for this household is 12,000. A credit is requested in the amount of \$32.25 for the sewer portion of the bill only. Motion made by Beechy to approve the credit request. Seconded by Hardesty. Upon roll call, motion carried with Beechy, Hardesty, Baird, Vaughn, Uhl, and Polen voting aye.

Informed Council he attended RCAP meeting last week. At the meeting he learned of a grant available which would allow the Village to place all utility lines, curb stops, valves, etc. on a GIS system. Troyer indicated this would be helpful for future projects and could save money on engineering fees as well. The grant is for 50% of the project costs. Water and Sewer funds would be used for the Village share of the mapping. Troyer asked for permission to send in a pre-application. Council had no objections.

Troyer reminded residents that there is an ordinance for mowing their property. Letters will be sent to properties in non-compliance.

Informed Council the Village received a "Certificate of Recognition" from the OEPA for efforts taken to protect the sources of drinking water through completion of a Drinking Water Source Protection Plan.

**Clerk-Treasurer Shaffer:** Presented the April 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 asked for permission to offer employees a no-cost Family Hearing Plan with EarQ. The only requirement is to enroll the Village as a group (no fees) so employees can utilize the benefits they offer. Another supplemental benefit for employees is through New York Life. This is also a no cost plan to the Village. The employee would pay for any life insurance they select through a payroll reduction. Both of the plans are strictly voluntary. Council had no objections.

**Mayor Huebner:** Read a proclamation designating May 15 as Police Officer's Memorial Day and the week of May 15 as National Police Week.

Asked Council for an agreeable date for the next regular Council meeting due to Memorial Day. Council agreed on May 30 at 7:00 pm. Hardesty and Uhl will not be in attendance.

**LEGISLATION:** Mayor Huebner read Ordinance 2012-103 "Creating Chapter 187 Of The Millersburg Code Of Ordinances To Provide For The Imposition Of Three Annual Municipal Motor Vehicle License Taxes In Accordance With The Provisions Of Sections 4504.17, 4504.171 And 4504.172 Of The Ohio Revised Code And To Provide For The Collection Of Said Taxes By The Registrar Of Motor Vehicles Of The State Of Ohio Or Deputy Registrars At The Time Applications For Registration Of Motor Vehicles Are Required Under The Ohio Revised Code" for the third time by title only. Motion made by Uhl to pass and adopt Ordinance 2012-103. Seconded by Hardesty. Upon roll call, motion carried with Uhl, Hardesty, Polen, Vaughn, Beechy and Baird voting aye.

Mayor Huebner read Ordinance 2012-104 "An Ordinance Amending Zoning Map (Zoned Territory) Of The Village Of Millersburg" for the third time by title only. Motion made by Beechy to pass and adopt Ordinance 2012-104. Seconded by Baird. Upon roll call, motion carried with Beechy, Baird, Hardesty, Vaughn, Uhl, and Polen voting aye.

Mayor Huebner read Ordinance 2012-105 "Creating Chapter 951 Of The Millersburg Code Of Ordinances To Provide For The Imposition Of A Street Lighting Fee" for the second time by title only.

**NEW BUSINESS:** Eric Smeby submitted a letter to Council and the Mayor on April 26, 2012 and asked for a response to be given to his 7 questions.

1. At the council meeting held on April 9th, one of the attendees suggested a ¼% income tax hike instead of the ½% that was placed on the ballot in the last election. I realize that such a tax increase would not meet the shortfall in the budget but it would fill more than half of the void. If council would match the increase in revenue with additional budget cuts we would have what I think would be a reasonable compromise that we could all live with, including a balanced budget. I would ask that the penalty fees for license plates (ord. 2012-103) and street lighting (2012-105) be dropped in conjunction with passage of the 1/4% income tax and I am wondering how council would feel about this proposal?

**RESPONSE:** Cuts have already been made. Employee benefits, reduction in police department dispatching operating hours, staff reduction of 6 employees, overtime reduction to very minimal hours, street paving suspended, elimination of mosquito spraying/leaf pickup/clean-up day, closing of the swimming pool. Mayor Huebner noted Council is open to suggestions for additional cuts/reductions.

2. With respect to ordinance 2012-105 regarding street lighting fees, it is my understanding that this will cost residents \$11 per month. I currently pay \$15 per month for "debt relief" on my water bill, so the two fees combined would amount to \$26 per month. If I were to go in the basement and shut off my water, I would still be billed for \$78 per quarter (\$26 X 3) without any water consumption. Is this correct and does council see this as being fair?

**RESPONSE:** The street light fee is \$11 per quarter, not per month. The amount per quarter for the "debt service" (\$45) and "street light fee" (\$11) would be \$56 – not \$78. (These two fees would be \$18.67 per month) The "debt service" is to pay off a 20 year loan for an EPA mandated upgrade to the Wastewater Treatment Plant. The \$56 per quarter you refer to is \$224 per year. You can calculate what a 1/2% additional income tax on your income would be as compared to the \$224 per year fees. On the flip side, a new water well was installed to insure the Village has safe drinking water. This 10-year loan in the amount of \$200,500 was not assessed to village residents. The Village water fund is paying this loan back as Council chose not to impose any more fees on residents at that time. In answer to Smeby's question if he would shut his water off, would he still be billed those quarterly fees, the answer was "yes".

3. There are several property owners that have multiple tenants in their properties, such as apartment buildings, trailer parks and rental homes. Many of these landlords pay the water bills for the property and either include the service in the rent, or bill the residents for a portion of the total bill. Will these landlords be charged a single \$11 fee, or will they be assessed \$11 for each unit in their property?

**RESPONSE:** The \$11 will be added to any apartment/bldg/etc. that has its own meter. For example: A two unit building that has one meter will be billed one \$11 fee. A two unit building that has separate meters will be billed two \$11 fees. All locations/properties you are asking about are not set up the same.

4. If the answer to the question above is NO, they will be charged a single fee, than doesn't this legislation place a greater burden on the individual home owner?

**RESPONSE:** Answered above

5. Other communities, such as Berlin, Ohio or Killbuck, Ohio, do not impose any income tax on their residents. How does council think they keep their streets repaired, their streets illuminated and provide other services normal to their community?

**RESPONSE:** Berlin is not incorporated, they are a township. Killbuck does have an income tax that went into effect January 2011.

6. In discussions at last council meeting (April 23rd) the Mayor explained that the population of the village only dropped by about 300 residents instead of about 600 as indicated by the census. We all are aware that we lost two sizeable employers (L&W Egg & the nursing home) and as such, suffered a loss of income tax revenue. What steps has council initiated to either attract new business to the area or encourage new residents to consider Millersburg as a great place to live?

**RESPONSE:** The certified census issued to the Village by the Secretary of the State of Ohio for 2000 was 3326; and for 2010 the certified census was 3025. The Village adopted a Community Reinvestment Area that provides for a property tax reduction for residential and business improvements and/or for new construction. This tax reduction continues for up to 10 years. In addition, one of the services that HDM is to provide as well as the Holmes County Economic Development Council is to promote the Village for new business. The Tier 2 grant program is currently in progress to improve buildings around the Village. It was mentioned by a resident attending the council meeting of April 9, that the Village should build an industrial park. Mayor Huebner noted an industrial park would cost several million dollars to construct, without any guarantee of space being filled. Land purchase would be another obstacle. Even if grants were available, there would be a required match by the Village that we simply don't have.

7. Does council think that the tax increases being considered and additional fees being drawn up would deter new business and new residents from coming to Millersburg?

**RESPONSE:** Mayor Huebner and Councilman Beechy noted if infrastructure, streets, parks, cemetery (Village in general), etc. are not maintained and the town deteriorates (appearance and other), they feel those issues would deter new business/residents more than any tax.

**EXECUTIVE SESSION:** Motion made by Beechy to adjourn into executive session to discuss personnel. Seconded by Hardesty. Upon roll call, motion carried with Beechy, Hardesty, Polen, Uhl, Vaughn, and Baird 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, Beechy, Hardesty, 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