



# VILLAGE OF MILLERSBURG

6 North Washington Street  
Millersburg, Ohio 44654  
FAX (330) 674-9044  
www.millersburgohio.com

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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 July 9, 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, and Jim Beechy. Motion made by Polen to excuse Ruby Baird. Seconded by Beechy. Upon roll call, motion carried with Polen, Beechy, Hardesty, Vaughn, and Uhl voting aye. Solicitor Hines was also in attendance.

**VISITORS:** Brent Hofstetter asked for clarification on Ordinance 2012-107 "An Ordinance Restricting The collection, Movement, Appropriation or Disposition of Any Garbage, Rubbish, Yard Waste, Recyclables and Bulk Items", as there appears to be some confusion on what it actually means. Mayor Huebner explained that this does not affect how anyone puts their trash out at curbside or what they may take to recycling or to any thrift store. The ordinance pertains to any individual that may go to another individuals trash/recycling that has been set out at curbside and take from there any recyclables. The Village has contracted with a trash hauler that includes recycling and that is part of their revenue. There have been a few individuals in town taking recyclables from resident's trash and this ordinance now prohibits this and provides a tool for the Police Department to enforce the regulation.

Betty Patterson presented a four page document to Council of questions that a group of residents would like answered at the next Council meeting.

Bob Shoemaker questioned the speed limit of 35 mph coming into town on the north end. He felt it should be 45mph. It was explained that it is a State Highway and ODOT sets the limits. In addition the corporation line going north out of town, extends out to Greenfield, however coming into town the line is further south.

**MINUTES:** Motion made by Hardesty to suspend the reading of the minutes of the Public Hearing & Regular Session of Council held June 25, 2012. Seconded by Beechy. Upon roll call, motion carried with Hardesty, Beechy, Polen, Uhl, and Vaughn voting aye. There were no additions or corrections. Motion made by Uhl to accept the minutes as presented. Seconded by Hardesty. Upon roll call, motion carried with Uhl, Hardesty, Polen, Vaughn, and Beechy voting aye.

**BILLS:** Motion made by Vaughn to pay bill resolution 2012-22, bills' \$25669.17; payroll \$32552.48; total \$58221.65. Seconded by Uhl. Upon roll call, motion carried with Vaughn, Uhl, Polen, Hardesty, and Beechy voting aye.

## **REPORTS OF OFFICERS:**

**Administrator Troyer:** Informed Council on July 11th, the P&Z Commission will hear a variance request from Josh Proper for side yard setback for a garage addition, a variance for signage at Pomerene Hospital, the rezoning for New Pointe Church and the Fairgrounds property as well as consider the alley and street vacations for the proposed Bands well near IPS.

Informed Council the Design Review Board will meet on July 11th as well to consider Certificate of Appropriateness applications for Larry's Music and the Voice of Holmes County signage.

Informed Council the Village and County has met with the first applicants for the Tier II grant and begun the application portion of the process. A meeting has been scheduled with the rehab specialist who will prepare a scope of work. After this we will advertise for bids and award a contract to the successful bidder.

Informed Council it appears that the LED lights have been approved by AEP's Gridsmart engineers; however, he is awaiting official notification. Troyer has begun comparing the total cost-vs.-incentive for both LED and traditional fluorescent lighting upgrades and expect to have a decision soon on which route we will take.

Informed Council Gary Scherer, Street Dept. employee submitted his resignation effective July 13. A copy of his resignation was provided. Motion made by Beechy to accept his resignation. Seconded by Polen. Upon roll call, motion carried with Beechy, Polen, Uhl, Vaughn, and Hardesty voting aye.

Informed Council Septage Receiving for June was 72,400 gallons for a total of \$4,494.00.

Updated Council on the June street lighting invoice and provided the last several months history; June-\$3013.46; Jan-\$5,786.59; Feb-\$4608.77; March-\$3050.25; April-\$3208.65; May-\$3066.24.

Informed Council fire hydrant flushing will be July 15 through July 19 from 8:00 pm. to 6:00 am. Hydrants are flushed twice per year.

Reported that the "2<sup>nd</sup> Saturday in the Burg" will be July 14 sponsored by HDM. The theme for this month is the "60's". In addition HDM's monthly "Cash Mob" is scheduled for July 16 starting at Hotel Millersburg at 5:15.

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

**Mayor Huebner:** Mayor Huebner asked for acceptance of the 2013 Annual Tax Budget. Motion made by Uhl to accept the 2013 Tax Budget. Seconded by Hardesty. Upon roll call, motion carried with Uhl, Hardesty, Beechy, Polen, and Vaughn voting aye.

Mayor Huebner re-appointed Bonnie Self, Ralph Sechriest, and Doug Polen to the Economic Development Advisory Board. Motion made by Vaughn to approve the appointments. Seconded by Beechy. Upon roll call, motion carried with Vaughn, Beechy, Hardesty, Uhl, and Polen voting aye.

**LEGISLATION:** Mayor Huebner read Ordinance 2012-107 "An Ordinance Restricting The Collection, Movement, Appropriation Or Disposition Of Any Garbage, Rubbish, Yard Waste, Recyclables And Bulk Items" for the third time by title only. Motion made by Beechy to pass and adopt Ordinance 2012-107. Seconded by Hardesty. Upon roll call, motion carried with Beechy, Hardesty, Vaughn, Uhl, and Polen voting aye.

Mayor Huebner read Ordinance 2012-108 "An Ordinance Designating The Oak Hill Cemetery As An Historic Landmark" for the third time by title only. Motion made by Beechy to pass and adopt Ordinance 2012-108. Seconded by Uhl. Upon roll call, motion carried with Beechy, Uhl, Polen, Vaughn, and Hardesty voting aye.

Mayor Huebner read Reading Ordinance 2012-109 "An Ordinance Amending Zoning Map (Zoned Territory) Of The Village Of Millersburg" for the second time by title only.

Mayor Huebner read Emergency Resolution 2012-23 "A Resolution Amending The Personnel Policy Regarding Holiday Pay For Police Department Employees 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 Resolution 2012-23. Seconded by Hardesty. Upon roll call, motion carried with Vaughn, Hardesty, Beechy, Uhl, and Polen voting aye. Motion made by Beechy to pass and adopt Resolution 2012-23. Seconded by Polen. Upon roll call, motion carried with Beechy, Polen, Uhl, Vaughn, and Hardesty voting aye.

Mayor Huebner read Emergency Ordinance 2012-110 "An Ordinance Increasing The Rate Of Municipal Income Tax From One Percent (1.0%) To One And One Half Percent (1.5%) Effective January 1, 2013, Subject To The Approval Of The Electors Of The Village Of Millersburg Ohio As Provided In Section 718.01 Of The Revised Code, And Declaring It An Emergency" for the first time by title only. Motion made by Hardesty to suspend the rules requiring the second and third reading of Ordinance 2012-110. Seconded by Beechy. Upon roll call, motion carried with Hardesty, Beechy, Polen, Uhl, and Vaughn voting aye. Motion made by Uhl to pass and adopt Ordinance 2012-110. Seconded by Beechy. Upon roll call, motion carried with Uhl, Beechy, Polen, Vaughn, and Hardesty voting aye.

Mayor Huebner read Emergency Resolution 2012-24 "A Resolution Directing The Board Of Elections To Place Upon The Ballot At The General Election, November 6, 2012, The Question Of Increasing The Rate Of Municipal Income Tax, And Declaring It 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 2012-24. Seconded by Polen. Upon roll call, motion carried with Beechy, Polen, Uhl, Vaughn, and Hardesty voting aye. Motion made by Hardesty to pass and adopt Resolution 2012-24. Seconded by Uhl. Upon roll call, motion carried with Hardesty, Uhl, Polen, Vaughn, and Beechy voting aye.

**ADDITIONAL COMMENTS BY VISITORS:** Marcella Patterson asked if the Income Tax increase were passed in November, would it be effective January 2013 as would the License Plate Fee and Street Lighting Fee (if passed). Mayor Huebner explained they would all be effective January 2013, however if the income tax passes, the License Plate Fee and Street light fee would be repealed effective January 2014. Huebner noted this has been stated previously by himself and Council. The reason for not repealing immediately if the tax passes, is it will take a full year to receive the additional tax revenue, and the other two fees would be immediate. Huebner also noted that it would not be fair for residents to pay the plate fee at the beginning of the year (2013) and then repeal it as residents after that would not pay the fee. The plate fee will continue through 2013 and will be repealed if the income tax passes in November 2012.

Betty Patterson questioned the proposed equipment purchases if the tax were to pass and asked if equipment could be rented or borrowed from the County when needed. Troyer noted that the list of proposed equipment was an example of a three to five year replacement schedule. Mike Uhl added that before any large purchases are made Council would look at options of rental and purchasing used vs. new. Patterson stated she felt the Village should be putting money back in a reserve fund so as not to be in this financial condition again.

**EXECUTIVE SESSION:** Motion made by Polen to adjourn into executive session to discuss personnel and to confer with the public body's attorney for the purpose of discussing pending litigation. Seconded by Hardesty. Upon roll call, motion carried with Polen, Hardesty, Beechy, Vaughn, and Uhl 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, and Beechy voting aye.

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Date approved

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Karen Shaffer, Clerk-Treasurer

Jeff Huebner, Mayor