



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 July 25, 2016 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, Brent Hofstetter, Junior Vaughn, Robert Shoemaker, Kelly Hoffee and Ruby Baird. Solicitor Robert Hines was also in attendance.

VISITORS: County Engineer Chris Young, addressed Council regarding the 5 year - 0.25% sales tax that will appear on the ballot in November. This money would be used solely for roads, bridges and culverts. The only money received for these improvements comes from Gas & License Tax and the revenue has remained the same for the last 10 years (4.5million). Young stated that 70% of sales tax comes from individuals not living in Holmes County (tourists). He looked at implementing a \$5 license tax, however that would only generate \$150,000 a year and would only pave 2 miles of roadway. Young provided a map indicating what roads would be resurfaced from 2017-2021 if the issue passed. If the initial issue passed, a renewal would be placed on the ballot in 2021 for another 5 years and a map was provided for those roads as well. Young also stated that if passed, 10% of the funds generated would be set aside for grants in which townships and municipalities could apply for road projects.

MINUTES: Motion made by Hoffee to suspend the reading of the minutes of the previous meeting. Seconded by Polen. Upon roll call, motion carried with Hoffee, Polen, Hofstetter, Vaughn, Shoemaker and Baird voting aye. Motion made by Baird to accept the minutes as presented. Seconded by Shoemaker. Upon roll call, motion carried with Baird, Shoemaker, Hoffee, Vaughn, Hofstetter and Polen voting aye.

BILLS: Clerk-Treasurer Shaffer informed Council of the need for approval of a "Then and Now Certificate". Kevin Vaughn hired Green Arrow Engineering to complete work at the WWTP. The services they provided were for the period of March 13, 2016 through July 18, 2016. A purchase order was not obtained by Vaughn until July 19. Shaffer indicated Council is required to either approve or disapprove of any item over \$3,000 by instructing the Clerk to issue a "Then & Now Certificate" if approved. Motion made by Hoffee to approve the Then & Now Certificate. Seconded by Hofstetter. Upon roll call, motion carried with Hoffee, Hofstetter, Baird, Shoemaker, Vaughn and Polen voting aye.

Motion made by Vaughn to pay bill resolution 2016-24 bills' \$78605.11; payroll \$42260.70; total \$120865.81. Seconded by Hofstetter. Upon roll call, motion carried with Vaughn, Hofstetter, Polen, Shoemaker, Hoffee and Baird voting aye.

REPORTS OF OFFICERS:

Administrator Troyer: Informed Council the Design Review Board will meet Wednesday, August 3rd to consider signage requests at One Eighty, located at 34 C South Clay Street and Millersburg Dental, located at 135 South Clay Street. The Planning and Zoning Commission will also meet to consider a Change of Zoning District Request submitted by Amish Wedding Foods for an 8.5 acre parcel located between Tractor Supply and ODOT. The proposed change is from the B-2 Highway Commercial District to the Industrial District.

Informed Council Dennison Bridge has installed the new culvert across SR 241 (ODOT 241 Slide Repair). They are currently waiting on AEP to relocate several poles that are in conflict with the work zone and then they can construct the temporary roadway which will allow them to begin building the wall.

Informed Council Superior Paving's subcontractor has been in town constructing curb ramps where necessary for the ODOT SR 241 project. Once the slide repair project is

completed, Superior will begin the resurfacing. We agreed to have Superior perform 4 full depth repairs prior to the resurfacing at a cost of \$13,000-\$14,000.

Informed Council Weaver Playsets is scheduled to construct the playset on Friday, July 29th on the ODNR S. Clay St. park project. The pavilion is in the process of being demolished and removed at the time of writing this report.

Informed Council Melway was in town the week of the 18th completing the resurfacing of Marchand, Sill, Cary, Koch, Wise, Maxwell, Forlow, Diamond Alley and Woodland Drive as part of the 2016 Street Resurfacing project. The week of the 25th they will be resurfacing the downtown parking lots, N. Washington, W. Clinton, Perkins, E. Adams, and North School Street.

Informed Council we received a check from ODOT for \$2204.00 for the temporary and permanent easements we previously approved for the Sand Run Bridge Rehab Project.

Informed Council we have legislation on the agenda to amend the definition of accessory buildings or structures within the Village via a Zoning Ordinance Amendment. In discussions with another municipality we have been made aware of a trend where people are using freight or shipping containers as storage sheds. This legislation would not allow these containers to be used in the Village.

Informed Council Betty Kaser, of 744 Forlow St. is requesting a credit on the sewer portion of her bill. An outside hose was dripping and 13,000 gallons was used. Her normal consumption is 3,000 gallons. She is requesting credit for 8,000 gallons for the sewer portion of the bill in the amount of \$18.00. Motion made by Polen to approve the credit. Seconded by Hoffee. Upon roll call, motion carried with Polen, Hoffee, Baird, Shoemaker, Vaughn and Hofstetter voting aye.

Informed Council he was contacted by an individual asking if he could do a project in the S. Clay St. Park and then install a plaque with his family name. The individual grew up across from the park and wanted to do something for the community. It was suggested that the basketball courts could be resurfaced with a sports material. He asked if the costs associated with such project could be paid up front by the Village and he would make an annual payment until the funds were paid back. Council was open to the idea, however would like to have details including associated costs and re-payment terms.

LEGISLATION: Mayor Huebner read Ordinance 2016-103 "An Ordinance Establishing The Village Of Millersburg Community Dog Park Fund" for the first time by title only. He noted the group has raised \$4000 to date for the park.

Mayor Huebner read Ordinance 2016-104 "An Ordinance Regarding Future Distribution Of Transient Occupancy Tax Collections For Economic Development Within The Village" for the first time by title only. Solicitor Hines noted that perhaps Council would want to remove the section that states funds cannot be used for personnel. After brief discussion, Council agreed to leave the sentence in the rules that personnel expenses were not allowed. Councilwoman Hoffee asked what safeguard there is if an application is not complete as it was in the past. Solicitor Hines read the section that clarifies the process as it relates to the "Decision Making Authority" (Council).

Mayor Huebner read Ordinance 2016-105 "An Ordinance Amending The Definition Of Accessory Buildings And/Or Structures" for the first time by title only. Councilwoman Hoffee had some reservation regarding the ordinance. She stated passing laws that further restricts homeowners on their own property is in her opinion is "going down a slippery slope". She asked if possibly the ordinance could just refer to size (square footage) and not single out containers (pods). Administrator Troyer noted that by using a square footage rule, you would then limit homeowners building garages.

VISITOR: Kevin Lynch asked for clarification on the new distribution of the transient occupancy tax (bed tax). He asked if any new groups or businesses would be eligible for the monies. Mayor Huebner noted the funds would all be dispersed to the entities stated in the ordinance from this point forward. However, Council may amend the ordinance at any time.

ADJOURNMENT: Motion made by Polen to adjourn the meeting. Seconded by Hofstetter. Upon roll call, motion carried with Polen, Hofstetter, Vaughn, Shoemaker, Hoffee and Baird voting aye.

Approved Date _____

Karen Shaffer, Clerk-Treasurer

Jeff Huebner, Mayor