



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 August 12, 2013 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, Greg Hardesty, Jim Beechy, and Ruby Baird. Solicitor Robert Hines was also in attendance.

VISITORS: Lion's Club members Bob Porter, Frank Lehr, and Frank Arnold attended the meeting to request discretionary bed tax funds. Porter explained they are undertaking a project to light the Court House and the County Office building at night. A total of 16 LED lights will be installed. They have received cash and labor donations from local individuals and businesses. The lights will be on timers and will also have the capability to insert color panels for different events and holidays. The project cost is \$12,000 and they requested \$2,000 from the bed tax. Motion made by Beechy to approve the request of \$2,000. Seconded by Hardesty. Upon roll call, Motion carried with Beechy, Hardesty, Polen, Hofstetter, Vaughn, and Baird voting aye.

Rose Habrun wanted to remind Council that children and adults are not learning to swim since the closing of the swimming pool. Habrun stated that the volunteers for swim lessons will diminish if the pool is closed another year. She encouraged businesses, organizations, and Council to work together (and possibly involve the county) to get the pool up and running again.

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

BILLS: Motion made by Vaughn to pay bill resolution 2017-23 Bills' \$43272.90; Payroll \$33106.55; total \$76379.45. Seconded by Beechy. Upon roll call, motion carried with Vaughn, Beechy, Baird, Hardesty, Hofstetter, and Polen voting aye.

REPORTS OF OFFICERS:

Chief Vaughn: Informed Council Robert Stetka is resigning his position as full-time patrolman effective immediately. He will continue as a part-time employee assisting with patrol and dispatch. Motion made by Polen to accept the resignation of Robert Stetka as a fulltime police officer effective immediately. Seconded by Baird. Upon roll call, motion carried with Polen, Baird, Beechy, Hardesty, Vaughn, and Hofstetter voting aye.

Administrator Troyer: Informed Council, as he was directed, letters were delivered to all C1/C2 liquor license holders in the Village asking for input on the liquor license transfer application as proposed by Bell Stores. Troyer said Mac's Drive Thru and Millersburg Ice indicated they were not in favor of another license holder in town due to increased competition and oversaturation. A letter from Rodhe's Market was received stating they did not oppose to the license as long as the legal aspects were in order. Their only concern would be Sunday wine sales if they were to be included. Rodhe's feel Sunday sales should be decided by the

local voters. Rodhe's also stated that the Bell Store was a nice addition to the community and wished them well. Bob Engle, VP of Campbell Oil; the VP of Bell Stores; and Nate Gordon, legal counsel for Bell Stores was all present. Engle thanked the Village, the Administrator, and the Utility and Public Works departments for their support working with them during their construction project. Engle noted they made a large investment in the community with the \$4 million project and the employment of 50 individuals. Heidi Bowman and Bob Shedron owner's of Mac's Drive Thru spoke to Council. They indicated for the size of the Village, there are too many licenses. Shedron noted they have one store and Bell Stores will soon have two stores located in the Village, as well as the backing of a large corporation. The addition of another license would take away from local businesses. Andrea Kellogg also addressed Council regarding trexing the license, specifically Councilman Brent Hofstetter. Kellogg said she was disgusted with his comments on the permit at the previous meeting by saying he felt it would hurt local businesses and the children of the community. Kellogg said objecting to the permit would be discriminatory, and if council could object to this business they could object to any business. In addition, she noted that Council is not being "friendly" and will deter other businesses from locating here. Hofstetter responded by saying she was not comparing "apples to apples". The State of Ohio controls liquor licenses and don't control other types of businesses. Attorney Nate Gordon (representing Campbell Oil/Bell Store) said he has never seen a Council oppose a liquor license such as the one being requested. The "State" allows for so many licenses per area based on population, and Millersburg has more than the quota. For the license to be approved as a trex, council must first approve it. Gordon said approx. 15% of the store revenues are expected to come from alcohol sales. Without it, it may affect the store's ability to survive. Councilwoman Polen read a letter provided from D. J. McFadden, Holmes County Health Commissioner. McFadden cited surveys show an increase in alcohol-related problem areas where there is a high saturation of liquor licenses. Visitor Betty Patterson commented that that it would be in the best interest of the young people if the license was to be denied. Gordon noted that the "State" allows trexing of a license, regardless of the current quota, if it is approved by the local legislative authority. After more discussion and arguments for and against the license, a motion was made by Beechy to approve the liquor license trex for Bell Stores. Seconded by Hardesty. Upon roll call, motion carried with Beechy, Hardesty, Vaughn, and Baird voting aye. Polen and Hofstetter voted nay.

Informed Council the DRB approved demolition requests at 184 & 187 East Jackson Street as well as signage for Hotel Millersburg at 10 S. Clay Street

Informed Council P&Z approved a lot split request from Tom & Cheryl Bird, recommended approval of the Bell Store annexation agreement to Council, and approved front building setback, side and rear paving setback variances for Taco Bell and issued Final Site Plan Approval for Taco Bell with a modification to the proposed site plan.

Informed Council he received the approved plans from the Ohio Department of Health for the swimming pool. The next step is to have an inspection done. In order to do the inspection, the pool will need to be drained, cleaned, filled and running. Once the pool is operational and the inspector is notified, they will have two days to complete the inspection. Troyer anticipates starting the work on the pool tomorrow (Tuesday, August 13) if Council agrees to proceeds. Council agreed to move forward. Kelly Hoffee asked if she would be allowed to spend time on the pool grounds to pull weeds and trim around the area. Hoffee was told to contact the Village office before going to the property.

Informed Council the Village was notified that ODOT awarded the bids for the 2013/2014 winter season salt contracts. Morton Salt won the bid for ODOT District 11 with a price of \$36.45/ton which is \$10.36/ton cheaper than last year. We have committed to 225 tons for this contract (with 80%-120% purchase requirement).

Informed Council due to several recent vandalisms at the parks he is requesting permission to change the hours of the parks to being open during daylight hours only. Currently, the parks are open until 11:00 P.M. He would also like to purchase cameras to place at the parks, mainly near the concession stands and restrooms. Any pre-arranged ball games or events at the park will be exempt from the daylight only hours. Motion made by Beechy to approve the time change of park operational hours. Seconded by Baird. Upon roll call, motion carried with Beechy, Baird, Hardesty, Vaughn, Hofstetter, and Polen voting aye.

Informed Council he would like to put a street paving bid together for this year. We have reviewed the budget and have enough money available to start back into a routine paving program at this time. The streets we are looking at include North and South Washington Street, East Adams Street, and South School Street and would be a 2" grind and resurface project. Troyer cautioned Council, that the final bid award may contain any combination of these streets and this list is not all inclusive. Troyer anticipates advertising the bid for 2 weeks with a bid opening the week of September 9th and having a recommendation to Council for awarding the bid at the September 23rd meeting.

Informed Council due to the limitations of our current SCADA system at the WWTP, research was done on some options for updating or upgrading the software. The current system (RS-View) is licensed to Coleman Systems and any maintenance or changes that need done must be scheduled through them which has been an issue in the past. RS-View is also the lesser used SCADA software which means less available technicians to work on it. A quote was received of \$12,200 to update the current system, add the needed features to it and purchase the developer software needed for making the changes. Another option is to change from RS-View to Wonderware. The quote to perform this change is \$15,357.50. This includes the purchase and installation of Wonderware InTouch and the Wonderware InTouch 3000 Tag Development Key. This software would be licensed to us giving us the ability to make changes to the system as we need to. Since it is the more popular software we will have more options for technical services without being tied to one company. Unless there are objections, Troyer would like to proceed with the switch from RS-View to Wonderware as soon as possible. Council had no objections to the purchase of the Wonderware purchase.

Informed Council July Septage Receiving was 127,600 gallons received for \$7,935.00

Asked Council if they wished to continue the mosquito spraying twice per week. Council agreed that the spraying needs to be continued due to the large population of mosquitos. Comments were made that some areas were not being sprayed. A map will be provided to Holmes Pest Control for areas that need serviced.

Informed Council two requests for tree removals were made. 1.) Killbuck Bank requested the tree in the ROW at the corner of N. Clay and Clinton St be approved for removal. 2.) Steimel Law requested the tree in the ROW on S.Clay (closest to Earney Dental) be approved for removal. The trees will be removed at the property owner's expense. Motion made by Beechy to approve the tree removal requests. Seconded by Hardesty. Upon roll call, motion carried with Beechy, Hardesty, Baird, Vaughn, Hofstetter, and Polen voting aye.

Informed Council ODOT will be doing road work on SR 60 the summer of 2014. During construction, the detour will be SR 39 to SR 62 for approximately seven (7) days. ODOT needs approval from Council since the detour will be through Millersburg. Council had no objections.

Clerk-Treasurer Shaffer: Presented the July 2013 Financial Reports consisting of the Bank Reconciliation; Appropriation Summary, Fund Summary, Revenue Summary, Payment Summary, and Payroll. There were no questions or comments.

Reminded Council the employee health insurance will renew on November 1 with Aultcare. The broker informed us that we are able to start the process of "shopping" rates or wait until the renewal rate is received which should be on or about September 1. Council agreed to wait for the renewal rates.

Mayor Huebner: Informed Council and residents the Village now a Facebook page which was created by Nate Troyer. The page will be used to promote Millersburg and inform citizens of any news item and events taking place. The page is under "Village of Millersburg".

Mayor Huebner also reminded residents that recycling is picked up throughout town every other week and asked residents to remove the containers from curbside on the off weeks. Trash containers are only to be out 24 hours before and after pickup. A schedule of the recycling was mailed to customers and is also available on the Village website.

LEGISLATION: Mayor Huebner read Resolution 2013-24 "Authorizing The Mayor To Sign The Annexation Agreement With Campbell Oil, Inc. And Hardy Township Trustees" for the first time by title only.

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

Approved Date

Karen Shaffer, Clerk-Treasurer

Jeff Huebner, Mayor