



# 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 14, 2017 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 and Ruby Baird. Solicitor Robert Hines was also present. Motion made by Shoemaker to excuse Councilwoman Kelly Hoffee and Administrator Nate Troyer. Seconded by Baird. Upon roll call, motion carried with Shoemaker, Baird, Polen, Hofstetter and Vaughn voting aye.

**VISITORS:** Gary & Cindy Asche of 814 Wooster Rd addressed Council regarding the ongoing storm sewer issues that they have been having. They were at a Council meeting in April for the same issue and nothing has been accomplished. A storm sewer that runs under the parking lot of Village Motors has apparently collapsed. Water continually backs up into Asche's backyard. Gary built a bridge across a ravine on his property years ago and it is now being engulfed with high water, as much as 10' feet deep. They are concerned at the amount of water on their property and the possibility of a child being seriously harmed. The banks of the ravine are washing away as well and a large tree that could possibly fall onto their or their neighbors home. Pictures of the area after recent heavy rains were provided to Council. Asche's asked for assistance in correcting the situation. Mayor Huebner noted that Troyer has been in contact with Village Motors. They had a contractor scheduled to assess the problem, which never happened. The last Troyer spoke with Village Motors; they were scheduling another contractor to come in. Council agreed that Solicitor Hines should send a letter to Village Motors stating that they need to move forward on the issue and the correction of the underlying problem. Cindy Asche noted that they could use help in putting the bridge back in place.

Lorna Kraeger addressed Council on the UTV issue. She asked, on behalf of Harold Mullet, what the status is of a decision on UTV's allowed in the Village. Solicitor Hines noted that local law enforcement, judges and the prosecutor met recently to discuss the UTV and the Amish hauling passengers in trailers pulled behind tractors. The prosecutor will be sending a letter to the Attorney General for a formal opinion on the law as it pertains to both instances. Kraeger said she had also called the Attorney General, as well as the FBI on discrimination matters. She feels Council is just dragging their feet to prolong their decision. Solicitor Hines noted it could a few months to receive a response an Attorney General's opinion.

Eric Smeby and Bud Conner of the Fraternal Order of Eagles presented a check to Chief Vaughn in the amount of \$3000 as a donation to the Police Auxiliary. Chief Vaughn, Council and the Mayor thanked them for their generous donation. The funds are to be used for the purchase of Bullet Proof Vests, a project being worked on by the Police Department and Sheriff's Department.

Mark Irvin, Executive Director of Colonial Homestead Artisans Guild presented his request to be considered for the Kimble Recycling Incentive Funds. They have filed for their 501(c)(3) and hope to have the approval process prior to their opening. The Grand Opening is scheduled for the weekend of the Antique Festival on October 7<sup>th</sup> and 8<sup>th</sup>. They are a cultural based learning center focusing on the county's creative heritage. The funds would be used for building improvements and start-up for marketing. Karen Shaffer noted that Kelly Hoffee is very interested in awarding the funds to District #1 Fire Fighters. They are raising funds for a power lift cot that is estimated to cost \$45,000. Hoffee feels this would better benefit the entire community. Solicitor Hines stated that if the contract with Kimble reads the organization selected to receive the funds must be a 501(c)(3), then at this time Colonial Homestead

Artisans Guild would not eligible. A motion was made by Hofstetter to award the funds to District #1 Fire Fighters. Seconded by Polen. Upon roll call, motion carried with Hofstetter, Polen, Vaughn, Shoemaker and Baird voting aye.

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

**BILLS:** Motion made by Vaughn to pay bill resolution 2017-16 bills' \$85266.62; payroll \$55984.92; total \$141251.54. Seconded by Shoemaker. Upon roll call, motion carried with Vaughn, Shoemaker, Baird, Polen and Hofstetter voting aye.

**Administrator Troyer:** In the absence of Administrator Troyer, Mayor Huebner gave the Administrator's report.

Informed Council Mid-Ohio Concrete has completed all concrete work. As of 8/10/17, Melway Paving has resurfaced E. Jackson Ext., Briar Lane, Taylor Alley, the streets and alleys between 241, E. Jackson and School Street, as well as most of the smaller alleys southeast of Jackson and Clay Streets. The schedule is for milling to begin in Rustic Acres 8/17 and continue through 8/19 with S. Crawford, Douglas, Pearl, S. Alexander, S. School, etc. The paving crew will be following the milling crew resurfacing these streets. J. Miller & Son is on site to begin the storm sewer extension on Spring Drive.

Informed Council Arnie Oliver with the HC Planning Commission (and also a member of the Tree City Board) has found available funding for the purchase and development of the vacant lot at the intersection of South Clay/South Washington. There is legislation on the agenda tonight showing support of the project as well as authorizing the Mayor to file the application with the OPWC Clean Ohio Fund. The intent is to use the previously discussed \$10,000 amount we were willing to spend on the purchase as the required 25% match for the grant which would allow up to \$40,000 for the purchase/development of this lot. One stipulation of the funding is that the land remain vacant/open space.

Informed Council we have received notice that the upcoming season salt contract has been awarded. Cargill won the bid for District 11 with a per ton price of \$41.11. We committed to 200 tons for the upcoming season. Last year's price was \$41.55/ton.

**Clerk-Treasurer Shaffer:** Presented the July 2017 Financial Reports consisting of the Bank Reconciliation; Appropriation Summary, Fund Summary, Revenue Summary, Payment Summary, and Payroll. There were no questions or comments.

**LEGISLATION:** Mayor Huebner read Ordinance 2017-107 "An Ordinance Amending Paragraph (C) Of Section 521.04 Of Chapter 521 Of The Village Ordinances" for the second time by title only.

Mayor Huebner read Emergency Resolution 2017-18 "A Resolution Authorizing The Mayor To Apply To The Ohio Public Works Commission (OPWC) For Clean Ohio Conservation Program Funds And Declaring An Emergency" for the first time by title only. Motion made by Shoemaker to suspend the rules requiring the second and third reading of Resolution 2017-18. Seconded by Polen. Upon roll call motion carried with Shoemaker, Polen, Hofstetter, Vaughn and Baird voting aye. Motion made by Baird to pass and adopt Resolution 2017-18. Seconded by Hofstetter. Upon roll call, motion carried with Baird, Hofstetter, Shoemaker, Vaughn and Hofstetter voting aye.

Mayor Huebner read Emergency Resolution 2017-19 "A Resolution Of Support 2017 Clean Ohio Conservation Fund And Declaring An Emergency" for the first time by title only. Motion made by Hofstetter to suspend the rules requiring the second and third reading of Resolution 2017-19. Seconded by Polen. Upon roll call motion carried with Hofstetter, Polen, Vaughn, Shoemaker and Baird voting aye. Motion made by Shoemaker to pass and adopt Resolution 2017-19. Seconded by Polen. Upon roll call, motion carried with Shoemaker, Polen, Baird, Vaughn and Hofstetter voting aye.

**NEW BUSINESS:** Shoemaker noted he has received several complaints about the old fairgrounds property. Mayor Huebner said Troyer has been in contact with the Park District and they will be cleaning the area up.

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

Approved Date \_\_\_\_\_

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Karen Shaffer, Clerk-Treasurer

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Jeff Huebner, Mayor