

ENTITY NAME: VILLAGE OF MILLERSBURG

BOARD NAME: MILLERSBURG VILLAGE COUNCIL

TYPE OF MEETING: Regular

VOTING SESSION: Yes

DATE: 9/23/2024

START TIME: 7:00 P.M.

MEETING LOCATION: COUNCIL CHAMBERS – 6 N WASHINGTON ST.; MILLERSBURG, OH 44654

CALLED TO ORDER BY: MAYOR, KELLY HOFFEE

### Public Hearing – Zoning Change

9/23/2024 6:50 P.M.

#### IN ATTENDANCE

NAME:	TITLE/POSITION	NAME:	
Kelly Hoffee	Mayor	Nate Troyer	Administrator
Bob Hines	Solicitor	Matt Shaner	Police Chief
Bobbie Curry	Fiscal Officer	Chad Cline	Asst Administrator
Andrea Kellogg	Council	Tom Vaughn	Council
Devone Polen	Council	Brent Hofstetter	Council
Brad Conn	Council	Megan Goon	Visitor
Mark Hiner	Visitor	Dylan Cruz	Visitor
Danel Lode	Visitor	Thomas Jones	Visitor
Randy Keim	Visitor		

Hearing called to order at 6:50pm by Mayor Kelly Hoffee.

This Public Hearing is in reference to the rezoning of 50 No Name Street from a Village Residential (R-3) District to a Special Use (SU) District. The property will be utilized for Hardy Valley Massage Therapy & Yoga/Fitness Studio, Inc.

#### Discussion/Questions:

No objections have been received to date. According to Megan Goon, the business plans to open on November 4<sup>th</sup>, 2024. Property previously used as a dance studio.

Public hearing adjourned at 6:54pm.

### RECORD OF PROCEEDINGS

#### COUNCILMEMBERS ROLL CALL

NAME:		NAME:	
Shoemaker	Not Present	Polen	Present
Kellogg	Present	Hofstetter	Present
Vaughn	Present	Conn	Present

<b>MOTION TO EXCUSE:</b>	Shoemaker		
<b>MOTION BY:</b>	Vaughn	<b>MOTION SECONDED BY:</b>	Polen
<b>VOTING ROLL CALL:</b>			
Vaughn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Hofstetter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Polen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Conn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kellogg	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>VOTING RESULTS:</b>	YES: 5 NO: 0		

**IN ATTENDANCE**

NAME:	TITLE/POSITION	NAME:	
Kelly Hoffee	Mayor	Nate Troyer	Administrator
Bob Hines	Solicitor	Matt Shaner	Police Chief
Bobbie Curry	Fiscal Officer	Chad Cline	Asst Administrator
Melissa Patrick	Media/Reporter	Kevin Lynch	Media/Reporter
Mark Hiner	Visitor	Dylan Cruz	Visitor
Danel Lode	Visitor	Thomas Jones	Visitor
Randy Keim	Visitor		

**COMMUNITY CALENDAR/EVENTS**

<ul style="list-style-type: none"> <li>- Sept 26 - Our Town Millersburg Part 2 @ 7pm</li> <li>- Oct 5-6 - Antique Festival (Elected Officials Photo 10/5 @ 4pm. Grand Parade 10/6 @ 2pm)</li> <li>- Oct 26 - Boo in the Burg 6pm</li> <li>- Oct 26 - Trick or Treat in the Burg from 4-6pm.</li> <li>- Nov 23 - Merry Millersburg/Chocolate Walk</li> </ul> <p><b>Bicentennial Celebration Updates from Mayor Hoffee</b>                      The committee is working on the planning of an event to mark the end of the Bicentennial Celebration year. The event will feature old-time music at the Amphitheater, an old fashioned baseball game at Deer Run Park, and will include the burial of Millersburg’s time capsule. The event is being planned for June 8<sup>th</sup>, 2025 at 2pm. Hoffee would like council to consider waiving the rental fees for the Amphitheater and Ballfield for the Bicentennial Committee. Polen made a motion to waive the fees for the event. Kellogg seconded the motion. All voted aye. Motion Carried.</p>
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**APPROVAL OF PREVIOUS MINUTES**

<b>TYPE OF MEETING:</b>		Regular	
<b>SUSPEND READING OF MINUTES HELD ON:</b>		9/9/2024	
<b>MOTION BY:</b>		Hofstetter	
<b>MOTION SECONDED BY:</b>		Polen	
<b>VOTING ROLL CALL:</b>			
Hofstetter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Vaughn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Polen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Conn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kellogg	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>VOTING RESULTS:</b>		YES: 5 NO: 0	
<b>MOTION TO APPROVE BY:</b>		Vaughn	
<b>MOTION SECONDED BY:</b>		Kellogg	
<b>VOTING ROLL CALL:</b>			
Vaughn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Hofstetter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kellogg	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Conn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Polen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>VOTING RESULTS:</b>		YES: 5 NO: 0	

**APPROVAL OF BILLS**

<b>BILL RESOLUTION 2024-18</b>	Bills \$80,441.30	Payroll \$70,790.01	Total \$151,231.31
<b>MOTION BY:</b>		Conn	
<b>MOTION SECONDED BY:</b>		Hofstetter	
<b>VOTING ROLL CALL:</b>			
Conn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Vaughn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Hofstetter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Polen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kellogg	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>VOTING RESULTS:</b>		YES: 5 NO: 0	

**DEPARTMENT HEAD/OFFICIAL REPORT**

<b>DEPARTMENT:</b>	<b>ADMINISTRATION</b>
<b>REPRESENTATIVE'S NAME:</b>	<b>ADMINISTRATOR, NATE TROYER</b>
<p><b><u>DRB &amp; P&amp;Z Commission</u></b>  DRB will meet on 10/2 to review a Certificate of Appropriateness application submitted by La Palma for a pavilion at the rear of 60 West Jackson Street. We are still working through preparation of the legislation that will address accessory structures in non-residential districts, a fee schedule update to address permits that are obtained after work begins, and fire safety inspections in non-residential districts. These are all items that P&amp;Z Commission recommended we address.</p> <p><b><u>2024 Resurfacing</u></b>  No update</p> <p><b><u>Budgeted Items</u></b>  <u>Loader</u>-September delivery  <u>St. Dept. Storage Bldg.</u>-no update, awaiting contractor  <u>Pickleball Courts</u> – Vasco has completed the work on the pickleball courts and the courts are open.</p> <p><b><u>Surplus Equipment Sale</u></b>  The street sweeper was re-auctioned and sold for \$2525.</p> <p><b><u>Antique Festival</u></b>  Requesting permission to close North and South Monroe and Court Street for the Antique Festival. The only difference this year would be a request to close N. Monroe on Thursday evening after Bag’s and the Brewery are closed. <b>Motion to approve this request was made by Hofstetter. Seconded by Vaughn. All voted aye. Motion Carried.</b></p> <p><b><u>Handicap Parking Request</u></b>  Resident at 370 S. Washington, Apt. A has submitted a request for a designated handicap parking space. <b>Motion to approve the request made by Vaughn. Seconded by Polen. Kellogg voted no. All other voted aye. Motion carried.</b></p> <p><b><u>CIC/Nursing Home Update</u></b>  The property at 430 Hebron Street that the Holmes CIC planned to acquire has been sold to another buyer.</p>	

<b>DEPARTMENT:</b>	<b>POLICE DEPARTMENT</b>
<b>REPRESENTATIVE'S NAME:</b>	<b>CHIEF, MATT SHANER</b>
No Report	

<b>DEPARTMENT:</b>	<b>FISCAL</b>
<b>REPRESENTATIVE'S NAME:</b>	<b>FISCAL OFFICER, BOBBIE CURRY</b>
No report	

<b>DEPARTMENT:</b>	<b>SOLICITOR</b>
<b>REPRESENTATIVE'S NAME:</b>	<b>ROBERT HINES</b>
The Indigent Burial policy has been completed. Hines will present the policy and legislation at the next meeting.	

<b>DEPARTMENT:</b>	<b>MAYOR</b>
<b>REPRESENTATIVE'S NAME:</b>	<b>KELLY HOFFEE</b>
<p><b><u>Council &amp; Committee Meetings:</u></b></p> <ul style="list-style-type: none"> <li>- Sept 23 – Public Hearing (Zoning) 6:50pm</li> <li>- Sept 23 - Council Meeting 7pm</li> <li>- Oct 2 – Design Review Board/Planning &amp; Zoning Meeting 6:30pm</li> <li>- Oct 9 – Business &amp; Housing Committee Meeting</li> <li>- Oct 14 - Council Meeting 7pm</li> <li>- Oct 28 - Council Meeting 7pm</li> </ul>	

**COMMITTEE REPORTS**

<b>COMMITTEE:</b>	<b>Planning and Zoning Committee</b>
<b>PRESENTED BY:</b>	Mayor Hoffee

**DISCUSSION:**  
 Hoffee would like to recommend/nominate Daniel Lode to be appointed to the P&Z Commission. Lode would fill the vacancy left by David Crider’s resignation. **Conn made a motion to approve the appointment of Daniel Lode to the P&Z Commission. Kellogg seconded the motion. All voted aye. Motion carried.**

**LEGISLATION**

<b>NUMBER:</b>		<b>2024-106</b>	
<b>TITLE: An Ordinance Revising Speed Limits In The Village Of Millersburg</b>			
<b>CLASSIFICATION:</b>		Ordinance	
<b>STATUS:</b>		3rd Reading and Passage	
<b>MOTION TO:</b>		Pass & Adopt	
<b>MOTION BY:</b>		Polen	
<b>MOTION SECONDED BY:</b>		Hofstetter	
<b>VOTING ROLL CALL:</b>			
Polen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Vaughn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Hofstetter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Conn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kellogg	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>VOTING RESULTS:</b>		YES: 5 NO: 0	

<b>NUMBER:</b>		<b>2024-107</b>	
<b>TITLE: An Ordinance Revising 1166.03 Of The Village Ordinances</b>			
<b>CLASSIFICATION:</b>		Ordinance	
<b>STATUS:</b>		3rd Reading and Passage	
<b>MOTION TO:</b>		Pass & Adopt	
<b>MOTION BY:</b>		Vaughn	
<b>MOTION SECONDED BY:</b>		Kellogg	
<b>VOTING ROLL CALL:</b>			
Vaughn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Hofstetter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kellogg	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Conn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Polen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>VOTING RESULTS:</b>		YES: 5 NO: 0	

<b>NUMBER:</b>		<b>2024-108</b>	
<b>TITLE: An Ordinance Revising The Village’s Water Billing Practices</b>			
<b>CLASSIFICATION:</b>		Ordinance	
<b>STATUS:</b>		3rd Reading and Passage	
<b>MOTION TO:</b>		Pass & Adopt	
<b>MOTION BY:</b>		Polen	
<b>MOTION SECONDED BY:</b>		Conn	
<b>VOTING ROLL CALL:</b>			
Polen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Vaughn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Conn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Hofstetter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kellogg	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>VOTING RESULTS:</b>		YES: 5 NO: 0	

<b>NUMBER:</b>		<b>2024-109</b>	
<b>TITLE: An Ordinance Amending Zoning Map (Zoned Territory) Of The Village Of Millersburg</b>			
<b>CLASSIFICATION:</b>		Ordinance	
<b>STATUS:</b>		First Reading	

**OLD BUSINESS**

<b>TOPIC:</b>	<b>Letter to West Holmes Schools</b>
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<b>PRESENTED BY:</b>	Mayor Hoffee
<b>DISCUSSION:</b>	The letter to West Holmes Schools was mailed on 9/24/2024. While we have not heard back from the school district, we will continue to be respectful of their process.

<b>TOPIC:</b>	<b>Tour Bus Parking Signs</b>
<b>PRESENTED BY:</b>	Mayor Hoffee
<b>DISCUSSION:</b>	Signs designating a tour bus parking spot are installed.

<b>TOPIC:</b>	<b>Ohio Magazine Ad</b>
<b>PRESENTED BY:</b>	Mayor Hoffee
<b>DISCUSSION:</b>	The ad will be submitted to Ohio Magazine next week. It will run in the November/December issue of Ohio Magazine which will feature Millersburg as The Best Hometown in Northeast Ohio.

<b>TOPIC:</b>	<b>HDM – Art in the Burg &amp; Historical Society Walk in the Cemetery</b>
<b>PRESENTED BY:</b>	Mayor Hoffee
<b>DISCUSSION:</b>	Thank you to Historic Downtown Millersburg for a very successful Art in the Burg last week. On the same day, the Historical Society presented A Walk in the Past at Oak Hill Cemetery which was well-attended.

<b>TOPIC:</b>	<b>Northeast Ohio Gas</b>
<b>PRESENTED BY:</b>	Mayor Hoffee
<b>DISCUSSION:</b>	At the last meeting, visitor Dave Schrock asked to have a NEO Gas representative come to a council meeting to address the citizens of the Village and explain their process of replacing meters and how it will impact residents and to discuss the legality of shutting gas off during the colder months. Hoffee spoke to a NEO Gas representative and was told that there are 1,000 more meters to be replaced. Hoffee also looked up the ordinances/revised codes that Schrock referenced but they don't appear to apply to this particular situation. Hoffee also called The Public Utilities Commission. She is expecting a call back from them and will report at the next meeting.

<b>TOPIC:</b>	<b>Cannabis Dispensary</b>
<b>PRESENTED BY:</b>	Mayor Hoffee
<b>DISCUSSION:</b>	Hoffee spoke to Dan Mathie of Critchfield Law Firm to let him know that the topic of allowing a cannabis dispensary in the village was discussed by council. She let him know that the consensus of council that perhaps placing the issue on the ballot is the best idea. Mathie was agreeable to that decision. Hines will look into the processes and report back. Hofstetter added that he worries that a cannabis dispensary will change the culture of the village. He, too, feels that the residents should make the decision.

**NEW BUSINESS**

<b>TOPIC:</b>	<b>Support Downtown Businesses</b>
<b>PRESENTED BY:</b>	Kellogg
<b>DISCUSSION:</b>	Kellogg recently did some shopping in the downtown area, which she encourages everyone to do. She shopped at the Magic Bus Shop. Kellogg wanted to share what was inscribed on a card that was given to her with her purchase. The card reads, "When you support a small business, you're supporting a dream. Your purchase made my day. I hope this package brightens yours. I really appreciate your support." Kellogg said that's how all of the downtown businesses feel. Shop local.

**EXECUTIVE SESSION**

<b>PURPOSE:</b>	<b>To Confer with the public body's attorney concerning pending or imminent court action by division</b>
<b>MOTION BY:</b>	Polen

<b>MOTION SECONDED BY:</b>		Hofstetter	
<b>VOTING ROLL CALL:</b>			
Polen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Vaughn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Hofstetter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Conn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kellogg	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
<b>VOTING RESULTS:</b>		YES: 5 NO: 0	

**NEXT SCHEDULED MEETING**

<b>TYPE OF MEETING:</b>	Regular
<b>DATE:</b>	<u>10/14/2024</u>
<b>TIME:</b>	7:00 PM
<b>LOCATION:</b> Council Chambers	6 N Washington St.; Millersburg, OH 44654

**ADJOURNMENT**

<b>MOTION BY:</b>		Polen	
<b>MOTION SECONDED BY:</b>		Hofstetter	
<b>VOTING ROLL CALL:</b>			
Polen	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Vaughn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Hofstetter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Conn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Kellogg	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Choose an item.	
<b>VOTING RESULTS:</b>		YES: 5 NO: 0	

**MINUTES PREPARED BY**

SIGNATURE: Bobbie Curry	TITLE	DATE
	Fiscal Officer	9/30/2024

**ATTESTED BY**

SIGNATURE: Bobbie Curry	TITLE	DATE
	Fiscal Officer	10/14/2024

**CERTIFICATION**

SIGNATURE: Kelly Hoffee	TITLE	DATE
	Mayor	10/14/2024