

ENTITY NAME: VILLAGE OF MILLERSBURG

BOARD NAME: MILLERSBURG VILLAGE COUNCIL

TYPE OF MEETING: Regular

VOTING SESSION: Yes

DATE: 10/14/2024

START TIME: 7:00 P.M.

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

CALLED TO ORDER BY: MAYOR, KELLY HOFFEE

RECORD OF PROCEEDINGS

COUNCILMEMBERS ROLL CALL

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

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	Tiffany Gerber	Visitor
Taylor Sigler	Visitor	David Grove	Visitor
Marilyn Wengerd	Visitor	Tom Wengerd	Visitor
Kristen Yoder	Visitor	Traci VanKeuren	Visitor
Jim VanKeuren	Visitor	Robyn Harford	Visitor
Makayla Alexander	Visitor	Alyssa Elliot	Visitor
Jenifer Feucht	Visitor	Dylan Kaufman	Visitor

COMMUNITY CALENDAR/EVENTS

- Oct 15 - Fall Harvest Soup Supper @ Castle Club 4:30-6:30pm by donation.
- Oct 19 - Clue at the Mansion (purchase tickets by calling HC Historical Society)
- Oct 26 - Trick or Treat in the Burg from 4-6pm
- Oct 26 - Boo in the Burg 6pm
- Nov 3 - Daylight Savings Time Ends
- Nov 10 - 1st Annual Holmes County Marine Corps Ball 5pm, reserve tickets are \$35 each.
- Nov 23 - Merry Millersburg/Chocolate Walk

Bicentennial Celebration Updates from Mayor Hoffee

Hoffee expressed several thank yous to council: Tom Vaughn for candy for the Antique Parade; Brad Conn, Brent Hofstetter and Devone Polen for riding on the float in the parade; Andrea Kellogg for participating in the Fireman and Antique Car Parade; and Bob Shoemaker, Brent Hofstetter, and Brad Conn for joining Hoffee for the public officials photo. Hoffee will have an update on the Bicentennial Coloring Contest at the next meeting.

VISITORS

DORA (Designated Outdoor Refreshment Area) – Taylor Sigler, Historic Downtown Millersburg Director

Sigler addressed council about establishing a DORA in the downtown area of Millersburg. Sigler prepared an informative presentation and many downtown merchants joined her at the meeting to express their support for DORA. A Designated Outdoor Refreshment Area, or DORA, is a specified area of land that a local legislative authority has designated as exempt from certain open container provisions as laid out in [Ohio Revised Code Section 4301.82](#). Within the boundaries of the DORA, patrons can

purchase an open beverage in a designated cup containing alcohol from an on-premises liquor permit holder, such as a bar or a restaurant, and leave the premises with the drink and continue consuming it. While the law places certain restrictions on DORAs, the decision of whether to create a DORA, including its size, how many should be created, its hours of operation, what cups are used, or any health, safety, and sanitation plans when the DORA is in effect are all locally-controlled decisions.

Sigler explained that as of April 2024, there are 167 DORA communities across the state of Ohio. Nearby DORA communities are Wooster, Ashland, Coshocton, New Philadelphia and Massillon. Sigler has received only positive feedback from the communities she has reached out to. There has been no reported increase in crime or alcohol-related incidents. Rather, those communities have reported that DORA has had a positive impact. Sigler conducted a community survey this summer to get some local feedback to gauge the interest/support for DORA in Millersburg. Nearly 92% of the 220 responses were supportive of DORA in Millersburg. The survey indicates that interest in visiting Millersburg would increase if a DORA were established.

HDM's president, Robyn Harford, along with local merchants, Traci VanKeuren, Marilyn Wengerd, Kristen Yoder, Alyssa Elliot and Dylan Kaufman, and Tiffany Gerber, Director of The Holmes County Chamber of Commerce are all incredibly supportive of have a DORA in Millersburg. All agree that it is time for Millersburg to 'move in to the 21st Century', explaining that an increase in visitors who stay longer and purchase more from local merchants benefits everyone in Millersburg. Several merchants have stated that they will explore extending their business hours of a DORA is established. Each local retailer will make the decision whether to allow DORA drinks in their business.

Solicitor Hines has researched DORA as well. He explained that while Sigler and her constituents are doing the groundwork for the application, it is Millersburg's Mayor – with council's approval - that submits the application. Hines feels that an informal, non-binding poll from council is a good idea at this point. If council agrees to pursue a DORA permit, Sigler will continue to gather the information needed for the application. Hines and Mayor Hoffee have both recently spoken to officials in Wooster. All feedback was very positive. Hoffee pointed out that at any time, for any reason, council can vote to revoke DORA. Police Chief Shaner has no issue with establishing a DORA in the village, especially if it can be revoked if any problems occur.

Informal Poll of council members present:

-Kellogg points out that our goal with our yearly bed tax grant awards is to help businesses thrive and see economic development. DORA aligns with those goals. Kellogg is in favor of DORA.

-Conn asked Sigler about the map of the DORA area in Millersburg. No official map of the DORA boundaries has been done at this time. If council agrees to move forward, the map is one of the things that will be determined. Conn also asked if the downtown businesses are in favor of DORA. Sigler said that all the businesses she has spoken to are supportive of having a DORA in Millersburg.

-Hofstetter asked about the cost of the DORA cups. Sigler said that HDM plans to purchase the plastic cups and distribute them to the alcohol-serving establishments. Hofstetter also asked if any of the establishments are worried about losing revenue if visitors take their DORA drinks and leave rather than stay to finish their drink there. Sigler has not encountered any concerns of that nature. In fact, DORA seems to result in visitors staying in the area longer. Hofstetter is in favor of DORA.

-Shoemaker agrees that it is time Millersburg joined that 21st century. He is in favor of DORA coming to Millersburg.

-Vaughn encourages the community to give feedback on this issue over the next couple of weeks. He also thinks forming a committee to iron out the details is a good idea. Vaughn is not opposed to DORA. Hoffee summarized that all council members present are in favor of continuing the process and moving forward with the DORA application. Hoffee thanked Sigler for her work on this project thus far and thanked the business owners who visited this evening's meeting for coming to show their support.

Visitor David Grove addressed council about a concern of his relating to political signs that are left up for months or years after an election is held. He asked if Millersburg has an ordinance in place addressing this issue. Grove said he puts his political signage in his yard a few weeks before an election then promptly removes them once the election is held. His wish is that all others would do the same. He does not think it is a good look for political signs to remain up all over town year-round. He also has serious concerns about the content of some of the political signs he sees in town that display foul or belligerent language. Kellogg asked Grove if he is pro-first amendment. Grove replied that he is not here to debate the first amendment. He is here to voice his concern and ask if Millersburg has an ordinance in place addressing this issue. Hines and Troyer explained that there is an ordinance that includes guidelines for political signage. Hines said that due to first amendment rights, there is little

that can be done about signs that are on privately owned property. The village can and has asked for signage to be removed but if the property owner refuses, there is little to nothing that can be done. Grove concluded by asking Village of Millersburg residents to remove political signs as soon as the election is held.

APPROVAL OF PREVIOUS MINUTES

TYPE OF MEETING:		Regular	
SUSPEND READING OF MINUTES HELD ON:		9/23/2024	
MOTION BY:		Vaughn	
MOTION SECONDED BY:		Conn	
VOTING ROLL CALL:			
Vaughn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Shoemaker	<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		
VOTING RESULTS:		YES: 5 NO: 0	
MOTION TO APPROVE BY:		Conn	
MOTION SECONDED BY:		Shoemaker	
VOTING ROLL CALL:			
Conn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Vaughn	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Shoemaker	<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		
VOTING RESULTS:		YES: 5 NO: 0	

APPROVAL OF BILLS

BILL RESOLUTION 2024-19	Bills \$184,601.69	Payroll \$141,960.07	Total \$326,561.76
MOTION BY:		Hofstetter	
MOTION SECONDED BY:		Vaughn	
VOTING ROLL CALL:			
Hofstetter	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Shoemaker	<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
Kellogg	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
VOTING RESULTS:		YES: 5 NO: 0	

DEPARTMENT HEAD/OFFICIAL REPORT

DEPARTMENT:	ADMINISTRATION
REPRESENTATIVE'S NAME:	ADMINISTRATOR, NATE TROYER
<p><u>DRB & P&Z Commission</u> DRB met on 10/2 and approved the Certificate of Appropriateness application submitted by La Palma for a pavilion at the rear of 60 West Jackson Street. Legislation is on the agenda for 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. Are there any questions about the proposed legislation? Hofstetter asked if the penalties for not adhering to permitting requirements are substantial enough. Troyer believes they are at this time. Hofstetter also had a question about the fire inspections referenced in Ord 2024-112. Troyer explained that any non-residential structure required a yearly fire inspection. Property owners are to contact Holmes Fire District 1 yearly for a free fire inspection. This ordinance simply echoes a state law that is already in place.</p> <p><u>2024 Resurfacing</u> Brightspeed has been in contact with us and is working towards moving their facilities.</p> <p><u>Tree Removals</u> Kidron Tree Service was in town and removed trees and stumps at 121 S. Crawford, 337 S. Crawford, 310 S. Crawford and a stump at 114 N. Washington. They trimmed trees at 214 S.</p>	

Washington, 284 S. Alexander and 111 S. Clay. In addition to these trees, Hershberger Tree will be in town this week for an additional tree on S. Crawford and some work at the cemetery. Hoffee asked mentioned a tree on S Washington Street at No Name Street that is impeding sight distance. Shoemaker brought to attention the high weeds that need trimmed at the south entrance of Killbuck Savings Bank South. The tall weeds that are at/near the bridge just south of the bank's driveway.

Budgeted Items

Loader-Delivered 10/7

St. Dept. Storage Bldg.-no update, awaiting contractor.

Antique Festival

Thanks to the Street Dept. for all their work in preparations for and cleaning up after the festival.

Ledges Drive Repairs

Melway Paving was on site on 10/4 and resurfaced the damaged portion of Ledges Drive. The Street Dept. poured new curb where the water line repairs were made. We are meeting with Spray Foam Solutions 10/15 to look at leveling several sections of curb and a driveway that settled as a result of the water leak. Once this is done, we will be invoicing the contractor for reimbursement.

DEPARTMENT:	POLICE DEPARTMENT
REPRESENTATIVE'S NAME:	CHIEF, MATT SHANER
Shaner has selected Jorian Lehman as a full-time, certified patrol officer. He seeks council's approval to complete the hiring process. Hofstetter made a motion to approve the hiring of Jorian Lehman. Conn seconded the motion. All voted aye. Motion carried.	

DEPARTMENT:	FISCAL
REPRESENTATIVE'S NAME:	FISCAL OFFICER, BOBBIE CURRY
<p>-Fiscal: September financials were acknowledged.</p> <p>-Human Resources: Curry reports that Aultcare Medical and Dental Insurance rates have been determined for 2025. Medical insurance premiums will increase 5%. Dental insurance premiums will increase 5.54%. Conn made a motion allowing Curry to accept the Aultcare Medical and Dental renewal rates. Vaughn seconded the motion. All voted aye. Motion passed.</p> <p>-Human Resources: Curry asked council to begin to think about their recommendations for employee wage increases for 2025. For 2024 wages, a 2% raise was given to each employee plus up to another 2% based on performance. Managers and the village administrator complete employee evaluations to determine the performance percentage. Council agreed to consider the same process this year for 2025 pay rates.</p> <p>-Fiscal: As most are aware, water/sewer bill delivery continues to be an issue. USPS is experiencing significant delays in delivery bulk mailings – especially post card mailings. For example, last quarter's water/sewer bills were mailed out by the utility clerk on September 25th, yet many residents still have not received their bill. Our current utility billing software, CUSI does not have electronic billing features available. In fact, our current program is no longer supported and is being phased out. The village has been using this program for many, many years. We are looking at options to upgrade our billing system. We've received feedback over the years from residents who would like to see electronic billing, automatic payment options, etc. CUSI has a newer, improved web hosted system with the features we are seeking. The new system, UB4, would replace our current program with many added features. Utility Clerk, Mary Shaffer, received a proposal for the new system. There is an up-front cost for implementation, training and data conversion as well as monthly fees for software as a service licensing, software core modules and interfaces, and add-on modules. The up-front cost will be \$13,000. Monthly charges will be \$1,000. There is still some planning to do therefore those proposed costs could change slightly. As we move forward, we will keep council informed.</p>	

DEPARTMENT:	SOLICITOR
REPRESENTATIVE'S NAME:	ROBERT HINES
-The indigent burial policy and legislation is complete and first reading is this evening.	

-Marijuana Dispensary issue: As discussed at our last meeting, Council would like to see the issue of allowing Cannabis Dispensaries in the Village of Millersburg to be decided by residents by putting this advisory issue on the ballot on next year's general election. Hines has prepared the ballot with suggested language. Hines recommends that in addition to dispensaries, the ballot issue should also include options for cultivation and processing of cannabis products. There would be three separate questions on the ballot to be considered individually. Hines will continue to pursue the issue. Since this advisory issue must be on the ballot in a general election, there is plenty of time to finish the preparation for adding this issue to next November's election.

DEPARTMENT:	MAYOR
REPRESENTATIVE'S NAME:	KELLY HOFFEE
Council & Committee Meetings:	
<ul style="list-style-type: none"> • Oct 14 - Council Meeting 7pm • Oct 28 - Council Meeting 7pm • Nov 11 - Council Meeting 7pm • Nov 13 - Business & Housing Committee Meeting 6pm • Nov 25 - Council Meeting 7pm 	

COMMITTEE REPORTS

COMMITTEE:	Business & Housing Committee
PRESENTED BY:	Mayor Hoffee
DISCUSSION: The committee has decided to meet every other month (odd months) on the 2 nd Wednesday. The committee met last Wednesday. The direction of the committee was discussed. It was decided to ask Taylor Sigler to join the committee. Taylor has agreed to join the committee. One of the issues that the committee would like to address is the vacant buildings in the downtown area.	

COMMITTEE:	Holmes Fire District 1 Meeting
PRESENTED BY:	Mayor Hoffee
DISCUSSION: Hoffee reported that at a recent meeting, the Fatal House Fire on N Crawford St has preliminarily been determined to have been caused by an electrical issue. Reminder to all: If you need smoke alarms for your home, call the fire department. They distribute and install free fire alarms to anyone who needs them.	

LEGISLATION

NUMBER:	2024-109
TITLE: An Ordinance Amending Zoning Map (Zoned Territory) Of The Village Of Millersburg	
CLASSIFICATION:	Ordinance
STATUS:	2nd Reading

NUMBER:	2024-20
TITLE: Adopt An Indigent Burial Policy For Oak Hill Cemetery	
CLASSIFICATION:	Resolution
STATUS:	1st Reading

NUMBER:	2024-110
TITLE: An Ordinance Revising Chapter 1143.02 Of The Village Ordinances	
CLASSIFICATION:	Ordinance
STATUS:	1st Reading

NUMBER:	2024-111
TITLE: An Ordinance Amending The Village Of Millersburg Schedule Of Fees	
CLASSIFICATION:	Ordinance
STATUS:	1st Reading

NUMBER:	2024-112
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TITLE: An Ordinance Establishing 1153.05 Of The Village Ordinances	
CLASSIFICATION:	Ordinance
STATUS:	1st Reading

NUMBER:	2023-113
TITLE: An Ordinance Establishing 1160.05, 1161.05, 1162.05, And 1164.05 Of The Village Ordinances	
CLASSIFICATION:	Ordinance
STATUS:	1st Reading

NUMBER:	2023-114
TITLE: An Ordinance Revising Chapter 1173 Of The Village Ordinances	
CLASSIFICATION:	Ordinance
STATUS:	1st Reading

OLD BUSINESS

TOPIC:	Village Solicitor – Contract & Request for Proposals
PRESENTED BY:	Administrator Troyer
DISCUSSION:	
<p>Solicitor RFP: Troyer prepared a draft of a Request for Proposals for Village Solicitor for Calendar year 2025. Kellogg asked about the scope of services defined in the draft. She asked about limiting points of contact for the solicitor. As is written, the solicitor is available for legal advice to the Mayor, Council, Administrator, Police Chief, Fiscal Officer, Department Heads and other staff. Kellogg feels that any issue that a council member has should be addressed to council as a whole rather than individually. Troyer and Councilman Vaughn said that there are times that individuals may need to seek legal advice as an issue occurs. Hines said that it is not often that individual council members contact him but there are times it is necessary. Kellogg feels that most issues can be handled during meetings when all are present. Hines suggests one edit which relates to billing travel time to and from council meetings (portal to portal billing). The solicitor may charge mileage related to village business. However, travel time from the solicitor’s home to meetings should be excluded.</p> <p>To allow ample time to accept proposals, Troyer would like to extend the current solicitor’s contract through December 31st. He’d like to accept proposals until November 15th then take time to review the proposal and make a decision and have the new contract signed by the end of December. Motion to extend current solicitor’s contract to December 31st, 2024, made by Kellogg. Seconded by Shoemaker. All voted aye. Motion passed. Motion to submit/publish the Solicitor’s Request for Proposals made by Conn. Seconded by Kellogg. All voted aye. Motion Carried.</p>	

TOPIC:	Landscaping & Planter Solicitation of Quotes
PRESENTED BY:	Administrator Troyer
DISCUSSION:	
<p>Solicitation of Quote for 2025 Landscaping Services: Troyer prepared a draft of Solicitation of Quotes for 2025 Landscaping Services. This includes Downtown Hanging Baskets or Planters and Gateway Landscape and Maintenance. There was much discussion of whether to continue to have the hanging baskets in the downtown area or switch to planters. There are advantages to investing in planters. Removal of downtown trees was also discussed. Planters can replace trees. With sidewalk replacements scheduled for 2025, it’s best to wait to make a decision on hanging baskets verses planters until the sidewalk replacement is complete. Council and Mayor Hoffee directed Troyer on some updates that are needed on the Solicitation of Quotes. Troyer will make those changes. Motion to submit/publish the solicitation was made by Hofstetter. Seconded by Vaughn. All voted aye. Motion carried.</p>	

TOPIC:	Various Topics
PRESENTED BY:	Mayor Hoffee
DISCUSSION:	
<p>Antique Festival: Hoffee thanked the Antique Festival for a remarkably successful festival this year. She also thanked Police Department for all their work that weekend.</p> <p>Ohio Magazine – Best Hometown: The issue featuring Millersburg is due to come out at the end of October. We are getting a case of them. They are free. Please take only one.</p>	

Village Hall Signs: No estimates yet for the new Village Hall Signs.
Merry Millersburg – November 23rd: Downtown businesses are encouraged to decorate their store front windows for a contest. Please decorate by November 16th.
NEO Gas: It has been reported that NEO Gas will not be replacing meters after Thanksgiving.

NEW BUSINESS

TOPIC:	Marine Corp Ball – Community Event
PRESENTED BY:	Mayor Hoffee
DISCUSSION: Marine Crop Ball – November 10th: The American Legion is hosting the first annual Marine Corps Ball on November 10 th at 5pm. It is a dress and tie event open to anyone. This year is the 249 th Birthday of the US Marine Corps. There will be dinner, dancing and a guest speaker. Tickets are \$35 each. Please RSVP to woody@PCloho.com.	

TOPIC:	Executive Session
PRESENTED BY:	Kellogg
DISCUSSION: Kellogg had some questions/concerns about executive session at our last council meeting. Kellogg read the OAC Rules relating to rules of executive session. Kellogg then said that at the last meeting, council went into executive session to discuss a letter. Hines reminded Kellogg that executive session subject matter is confidential and any discussion of the matter now, breaks confidentiality. Kellogg then asked Solicitor Hines which rule applied to the executive session. Hines asked Kellogg if she believed that council should not have gone into executive session. Kellogg replied yes. Hines advised that he made the decision to go into executive session based on court action eminent. He further advised that if a member of the public or even of council feels that their rights have been they can file a complaint/lawsuit. He stands behind his interpretation of the OAC to take the matter into executive session.	

NEXT SCHEDULED MEETING

TYPE OF MEETING:	Regular
DATE:	<u>10/28/2024</u>
TIME:	7:00 PM
LOCATION: Council Chambers	6 N Washington St.; Millersburg, OH 44654

ADJOURNMENT

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

MINUTES PREPARED BY

SIGNATURE: Bobbie Curry	TITLE	DATE
	Fiscal Officer	10/18/2024

ATTESTED BY

SIGNATURE: Bobbie Curry	TITLE	DATE
	Fiscal Officer	10/28/2024

CERTIFICATION

SIGNATURE: Kelly Hoffee	TITLE	DATE
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	Mayor	10/28/2024
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