

ENTITY NAME: VILLAGE OF MILLERSBURG

BOARD NAME: MILLERSBURG VILLAGE COUNCIL

TYPE OF MEETING: Regular

VOTING SESSION: Yes

DATE: 4/25/2022

START TIME: 7:00 P.M.

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

CALLED TO ORDER BY: MAYOR, JEFF HUEBNER

RECORD OF PROCEEDINGS

COUNCILMEMBERS ROLL CALL

NAME:	PRESENT/ABSENT	NAME	PRESENT/ABSENT
Polen	Present	Shoemaker	Present
Hoffee	Not Present	Vaughn	Present
Conn	Present	Hofstetter	Present

MOTION TO EXCUSE:	Hoffee		
MOTION BY:	Shoemaker	MOTION SECONDED BY:	Vaughn
VOTING ROLL CALL:			
Shoemaker	Yes	Vaughn	Yes
Polen	Yes	Conn	Yes
Hofstetter	Yes		
VOTING RESULTS:	YES: 5 NO: 0		

IN ATTENDANCE

NAME:	VISITOR/EMPLOYEE	NAME:	VISITOR/EMPLOYEE
Jeff Huebner	Mayor	Nate Troyer	Administrator
Bob Hines	Solicitor	Matt Shaner	Police Chief
Karen Shaffer	Clerk-Treasurer		
Melissa Patrick	Visitor	Kevin Lynch	Visitor
Brenna Barbey	Visitor		

VISITORS

BRENNA BARBEY	LIFE SCOUT TROOP #338
<p>Brenna Barbey of Life Scout Girls Troop 338 presented a project to Council that she would like to complete to become the first female Eagle Scout in Holmes County. She described her project, an amphitheater to host outdoor music and other events at Deer Run Park. She plans on raising all funds and develop the plans on her own, and then seek other local scouts for assistance on the building stage. She envisions tiered stands made of stone on a hillside at Deer Run by the practice area of the disc golf course., which could seat 50 to 100 people. Her end goal is to bring in more live music to the county and attract young adults. She provided a slide presentation showing photos of the arboretum at ATI in Wooster to give an idea of what it could look like. Barbey has to earn two more badges to become an Eagle Scout, and this project should help. She needs Buckeye Council's permission, along with the village's approval and she hopes to have the project completed by September. Administrator Troyer noted he and Barbey met and are looking at an area off the parking lot by the practice basket for the disc golf course. The top row of seating would be a flat area, making it handicap accessible. Troyer noted that this area is one of the few areas at the park that is not in use, and feels this would be a great addition. Troyer pointed out in the conversations he has had with Barbey, he has discovered that she is not afraid to take on a challenge. Council agreed this would be a great addition to the park. A motion was made by Conn to approve the project for Barbey. Seconded by Vaughn. Upon roll call, motion carried with Conn, Vaughn, Shoemaker, Polen, and Hofstetter voting aye. Vote: Yes 5 No 0</p>	

APPROVAL OF PREVIOUS MINUTES

TYPE OF MEETING:	Regular
SUSPEND READING OF MINUTES HELD ON:	4/11/2022

MOTION BY:		Conn	
MOTION SECONDED BY:		Polen	
VOTING ROLL CALL:			
Conn	Yes	Polen	Yes
Shoemaker	Yes	Vaughn	Yes
Hofstetter	Yes		
VOTING RESULTS:		YES: 5	NO: 0
MOTION TO APPROVE MINUTES BY:		Hofstetter	
MOTION SECONDED BY:		Vaughn	
VOTING ROLL CALL:			
Hofstetter	Yes	Vaughn	Yes
Polen	Yes	Conn	Yes
Shoemaker	Yes		
VOTING RESULTS:		YES: 5	NO: 0

APPROVAL OF BILLS

BILL RESOLUTION 2021-11	Bills \$66,049.14	Payroll \$48,779.36	Total \$114,828.50
MOTION BY:		Shoemaker	
MOTION SECONDED BY:		Conn	
VOTING ROLL CALL:			
Shoemaker	Yes	Conn	Yes
Hofstetter	Yes	Vaughn	Yes
Polen	Yes		
VOTING RESULTS:		YES: 5	NO: 0

DEPARTMENT:	ADMINISTRATION
REPRESENTATIVE'S NAME:	ADMINISTRATOR NATE TROYER
<p>DRB & P&Z Commission: Informed Council the DRB will meet on Wednesday, May 4th to review COA applications from Urban Farmgirl for signage at 96 West Jackson and the County for façade improvements to the Prosecutor's Office building. P&Z will review a variance application for a garage at 376 N. Mad Anthony.</p> <p>Resurfacing/Sidewalk Projects: Informed Council Melway Paving was awarded the project. Contract documents are being finalized at this time.</p> <p>ARPA Projects: No update other than plans continue to be developed and working on the CDBG application.</p> <p>Credit Request: JNA Living is requesting credit for a property they own at 310 S. Crawford St. There was a substantial leak while the renter was in Florida in December/January. The thermostat stopped working letting the house get too cold. The pipes froze and broke and water leaked into basement, Nate Hochstetler of Sunrise Plumbing verified that there is not a floor drain in basement. Some water went down a crack in floor by the chimney and the remainder was pumped/transferred outside. Water from the leak did not enter the sewer system. A credit for 66,000 gallons in the amount of \$155.10 and the associated late fee is requested for the sewer portion of the bill. Motion made by Polen to approve the credit request. Seconded by Vaughn. Upon roll call, motion carried with Polen, Vaughn, Hofstetter, Conn and Shoemaker voting aye. Vote: Yes 5 No 0</p> <p>Credit Request: Ted DeHass of Family properties and his renter Fany Vasquez of 1187 Wooster Road have requested a credit. The house had a very high water meter reading on 3/7/22. Usage from 11/10/21 to 03/7/22 was 522,000 gallons. Attempts were made to contact the renter and contact was made with the owner Ted DeHass about high usage. Several days later, the renter scheduled a courtesy check after she indicated there was nothing leaking at the house. On 3/25/22 Nate Skolmutch did the courtesy check and found that the float had corroded away in the basement toilet and water was continually running. There was no shut-off valve, so Nate worked out a temporary fix to stop the water. He informed the renter and Village office of the problem. Mary Shaffer then advised Ted of the finding of the courtesy check. An additional 87,000 gallons was used from the reading on 3/7/22 to the courtesy check on 3/25/22. Both Ted and renter contacted the office to ask if the Village could help with the bill. They were both informed of village council's policy for a water leak, and that is to give a credit for the sewer portion of the leak if it did not enter the sewer system. This was a toilet running, so the water did go into sewer</p>	

system. Council unanimously agreed a credit could not be issued, however they were agreeable to waive the late fees and for administration to work out a payment plan for the \$2514 bill. It was noted the land owner is ultimately responsible.

Personnel: Informed Council Josiah Kandel has submitted his 2 week notice of resignation. His last day with the Village will be May 6th and we wish him well in his future endeavors. Motion made by Vaughn to accept the resignation of Josiah Kandel. Seconded by Conn. Upon roll call, motion carried with Vaughn, Conn, Polen, Hofstetter, and Shoemaker voting aye. Vote: Yes 5 No 0

Street Closing: Asked Council to approve closing the first block of S. Monroe St. for Vintage in the Village on May 7, 2022, as well as the parking lot on the corner of S. Mad Anthony St./W. Jackson St. A food truck request was also asked for using a parking spot in the Village Office parking lot. Motion made by Polen to approve the requests. Seconded by Vaughn. Upon roll call, motion carried with Polen, Vaughn, Shoemaker, Conn, and Hofstetter voting aye. Vote: Yes 5 No 0

Parking Space Use: Requested the use of a parking space for a food truck on May 6th from 1:00 pm – 6:00 pm along W. Jackson St. Inspire Design is holding their open house and is requesting permission for the space. Motion made by Hofstetter to approve the request. Seconded by Polen. Upon roll call, motion carried with Hofstetter, Polen, Vaughn, Conn, and Shoemaker voting aye. Vote: Yes 5 No 0

DEPARTMENT:	FISCAL
REPRESENTATIVE'S NAME:	CLERK-TREASURER KAREN SHAFFER
<p>Cyber & Privacy Liability Insurance: Informed Council the expiring policy for the village cyber policy was written with a \$3M limit and will expire on April 30, 2022 with Ohio Municipal Joint Self Insurance Pool (OMJSIP). This year the highest limit available is \$2M. OMJSIP has two options available. Option 1: \$1M Limits – with coverages the same as the expiring policy, just with the \$1M limit. Annual premium is \$3,277 with the Pool funding half of that. The Village would be responsible for \$1,638.50. Option 2: \$2M Limits – with coverages the same as the expiring policy, just with the \$2M limit. Annual premium of \$5,182 with the Pool funding \$1,638.50. The Village would be responsible for \$3,543.50. The cyber market in general has been very difficult, especially for municipalities. The Village can also decline the coverage. It was noted that Schneider Computer strongly suggests the Village carry cyber insurance. Council discussed the options and agreed on the \$2M limit policy. Motion made by Hofstetter to approve the \$2M cyber liability policy. Seconded by Conn. Upon roll call, motion carried with Hofstetter, Conn, Polen, Shoemaker, and Vaughn voting aye. Vote: Yes 5 No 0</p>	

LEGISLATION

NUMBER:	Resolution 2022-09		
TITLE: A Resolution Authorizing Participation In The ODOT Road Salt Contracts Awarded In 2022 (Mayor read by title only)			
CLASSIFICATION:	Resolution		
STATUS:	3rd Reading		
MOTION TO:	Pass & Adopt		
MOTION BY:	Shoemaker		
MOTION SECONDED BY:	Hofstetter		
VOTING ROLL CALL:			
Shoemaker	Yes	Hofstetter	Yes
Vaughn	Yes	Polen	Yes
Conn	Yes		
VOTING RESULTS:	YES: 5 NO: 0		

NUMBER:	Ordinance 2022-100		
TITLE: An Ordinance Amending Section 925.06 (d) Of The Water Ordinances (Mayor read by title only)			
CLASSIFICATION:	Ordinance		
STATUS:	2nd Reading		

NUMBER:	Resolution 2022-12		
TITLE: A Resolution Authorizing The Village Of Millersburg To Use The Standard Allowance For The Local Fiscal Recovery Fund As Authorized By The American Rescue Plan Act (Mayor read by title only)			
CLASSIFICATION:	Resolution		

STATUS:		1st Reading	
MOTION TO:		Suspend the Rules for 2nd & 3rd Reading	
MOTION BY:		Polen	
MOTION SECONDED BY:		Vaughn	
VOTING ROLL CALL:			
Polen	Yes	Vaughn	Yes
Hofstetter	Yes	Shoemaker	Yes
Conn	Yes		
VOTING RESULTS:		YES: 5 NO: 0	
MOTION TO:		Pass & Adopt	
MOTION BY:		Hofstetter	
MOTION SECONDED BY:		Vaughn	
VOTING ROLL CALL:			
Hofstetter	Yes	Vaughn	Yes
Polen	Yes	Conn	Yes
Shoemaker	Yes		
VOTING RESULTS:		YES: 5 NO: 0	

NEW BUSINESS

TOPIC:		Fireworks Restrictions	
PRESENTED BY:		Tom Vaughn	
DISCUSSION: Informed Council new legislation was passed that allows the discharging of fireworks at certain times throughout the year. This includes 9 holidays and 15 to 18 other days throughout the year. He noted some municipalities are passing legislation that restricts the use of fireworks. Solicitor Hines said Council could adopt legislation restricting the use for safety reasons. Council instructed Hines to research the topic and report back.			

TOPIC:		Mosquito Spraying	
PRESENTED BY:		Bob Shoemaker	
DISCUSSION: Asked if and when mosquito spraying would begin. Administrator Troyer noted spraying would start the week of May 3 rd and continue throughout the season on a weekly basis.			

EXECUTIVE SESSION

PURPOSE: To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.			
MOTION BY:		Polen	
MOTION SECONDED BY:		Hofstetter	
VOTING ROLL CALL:			
Polen	Yes	Hofstetter	Yes
Shoemaker	Yes	Conn	Yes
Vaughn	Yes		
VOTING RESULTS:		YES: 5 NO: 0	

EXECUTIVE SESSION ACTION

ACTION: Motion to terminate the employment of Kaleb Bethel (probationary employee).			
MOTION BY:		Vaughn	
MOTION SECOND BY:		Hofstetter	
VOTING ROLL CALL:			
Vaughn	Yes	Hofstetter	Yes
Polen	Yes	Conn	Yes
Shoemaker	Yes		
VOTING RESULTS:		YES: 5 NO: 0	

NEXT SCHEDULED MEETING

TYPE OF MEETING:	Regular
DATE:	5/9/2022
TIME:	7:00 PM
LOCATION: Council Chambers	6 N Washington St.; Millersburg, OH 44654

ADJOURNMENT

MOTION BY:	Polen		
MOTION SECONDED BY:	Hofstetter		
VOTING ROLL CALL:			
Polen	Yes	Hofstetter	Yes
Shoemaker	Yes	Conn	Yes
Vaughn	Yes		
VOTING RESULTS:	YES: 5 NO: 0		

MINUTES PREPARED BY

SIGNATURE: Karen Shaffer	TITLE	DATE
	Clerk-Treasurer	4/29/2022

ATTESTED BY

SIGNATURE: Karen Shaffer	TITLE	DATE
	Clerk-Treasurer	5/9/2022

CERTIFICATION

SIGNATURE: Jeff Huebner	TITLE	DATE
	Mayor	5/9/2022