

ENTITY NAME: VILLAGE OF MILLERSBURG

BOARD NAME: MILLERSBURG VILLAGE COUNCIL

TYPE OF MEETING: Regular

VOTING SESSION: Yes

DATE: 6/27/2022

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

COUNCIL MEMBERS ROLL CALL

NAME:		NAME	PRESENT
Polen	Present	Shoemaker	Present
Hoffee	Present	Vaughn	Present
Conn	Present	Hofstetter	Present

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	Andrea Kellogg	Visitor
Tracy Byland	Visitor	Andy Zollars	Employee
Rodney Arnold	Employee		

DEPARTMENT HEAD/OFFICIAL REPORT

DEPARTMENT:	ADMINISTRATION
REPRESENTATIVE'S NAME:	ADMINISTRATOR NATE TROYER
<p>ODOT TAP Project: Informed Council we have 1 of 4 r/w acquisition agreements signed (as seen on bill resolution), and another is close. The remaining 2 are still being worked on.</p> <p>ARPA Projects: Informed Council a commitment letter was sent to the County for CDBG allocation (\$70k). Options are being researched for additional funding opportunities for the N. Grant and Wooster Road waterline projects.</p> <p>A/V Equipment: Informed Council the majority of equipment is here and installed. We are awaiting a few more pieces and training before start-up of the equipment.</p> <p>Personnel: Informed Council Tyler White accepted the Street Dept. appointment and is starting July 5th. Brian Boley also accepted the Utility Dept. appointment and is starting July 11th.</p> <p>Storm Recap: Troyer thanked all departments for their response and hard work immediately following the storm. Secondly, to the Street Dept. for their on-going hard work in clean-up of storm debris. Shoemaker also thanked all village departments for their assistance. Conn thanked the Street Dept. for the quick response for a street issue on Quinn Circle. He contacted Pat Mellor (who was on vacation) and Andy Zollars was notified and responded quickly. Troyer noted as a result of the storm, we had the following damage to Village facilities:</p> <ul style="list-style-type: none"> • Police Aux. Building had a tree fall on the west end of the building. It appears to only be cosmetic damage to the steel siding/roofing/gutter at this point but we don't know the full condition of the roof yet (awaiting a tree service to complete the tree removal) • Railroad lift station-fence damaged by tree (getting estimate on replacement) • Village offices-upstairs HVAC hit by lightning (replaced by Cline's) <p>Storm debris removal will continue throughout this week to assist property owners. Troyer noted he is working on completing the Ohio EMA Public Assistance Damage Assessment in conjunction with Holmes County EMA. There is no guarantee that we will receive assistance but this will make us eligible for assistance should funds become available.</p> <p>Thunder Over Holmes County Request: A request was made to close South Monroe Street (to Court Street) and Court Street for the event activities on Saturday, July 2 from 1:00 to 9:00 pm . Motion made by Polen to approve the request. Seconded by Conn. Upon roll call, motion carried with Polen, Conn, Hofstetter, Vaughn, Hoffee and Shoemaker voting aye. Voting results: YES: 6 NO: 0</p>	

Hanging Baskets: Hoffee asked what is happening with the hanging baskets throughout town. Troyer informed Council that Grasshopper is investigating the problem. They took one basket to OSU for testing to determine the cause for the deterioration. We will look into options with Grasshopper.

VISITORS:

Andrea Kellogg: Since the recent dog stabbing incident, Kellogg has watched social media sites and expressed concerns in the village, policing, and things residents have seen. She spoke with Chief Shaner a few weeks ago about the concerns. Her son is an employee of Dollar General and she has been hearing somethings that have been taking place there and the response of the police department. She noted Chief Shaner was very respectful to her, listened, and was not condescending and he wanted to hear what she had to say. The Chief told her that individuals need to call the department when issues arise, but she felt that isn't working. Kellogg said her husband is a defense attorney and while she cannot reveal client information, one client reported an incident to Captain Herman. That client indicated while speaking to a Victims Advocate, was told a report has not been sent to the Prosecuting Attorney. This client retained her husband (Attorney Jeff Kellogg) because Herman wanted her to take a lie detector test. Atty Kellogg printed off a section from the OAG Office that says "Law enforcement and prosecutors cannot request a victim of a sex crime to undergo a polygraph exam as a condition of beginning or continuing an investigation". Kellogg said there are people she is comfortable speaking with on this elected body, and those are Kelly Hoffee, Bob, Shoemaker, and Brad Conn. She also commended Mayor Huebner as she spoke with him, he listened and kept his word to her. Kellogg said she is friends with Tracy Byland (manager of the Dollar Tree). Byland also has concerns she will share with Council regarding the way the police department handles the issues she has. These may be things the Chief is not even aware of. Kellogg said for two years the public was being protected from the virus, but yet people are not being taken to jail. She presented a narrative of a police department report dated February 15, 2022, "I then transported him to the Holmes County Jail where they advised they would only accept him if he was going to be released on his own recognizance bond". She told Council they may want to bring in Chief Deputy Richard Haun of the Sheriff's Department and asked him about that. She noted there are active warrants out there, these individuals have been seen, but they are not taking them to jail. Kellogg also noted she obtained a copy of the 2021 annual Police Department report, which she also brought to the attention of the Mayor, Hoffee, Shoemaker, and Conn. She compared arrests, calls, traffic citations, etc. Her concern is that in 2018 there were 246 speeding tickets and in 2021 there were only 2 issued. She feels there are just as many speed violators now as there were then. She noted she understands that we don't want the village to be known as a place that write tickets excessively, but this is about safety. She informed Council for their information that fines and costs is what funds the Law Library. She noted she is not here to strike up a debate, but to make everyone aware of issues in the Village. As a community, we are trying to hire people, entice people to visit or move to our area. The economy is getting worse with inflation, gas prices, and crime is going to go up. Kellogg said she is begging Council to help keep the community safe. There are juveniles walking the streets with knives, stabbing dogs and she, as well as others, are afraid to walk in town in the evenings.

Tracy Byland, Manager, Dollar Tree: Byland said when the electric went out during the recent storm, she had a homeless person trying to break a window to gain access to the Dollar General. She called the police and when the officer arrived he just told him to move on. The individual then went to the Pizza Hut and the police when to the parking lot. She called again and the officer went after him. The individual then went across the street to the bank, laid down in the yard and proceeded to remove his clothing. She indicated that nothing was done. Later that night, Byland was in her store, removing food and the police told her they arrested the individual and took him to Wooster. Byland said the person is now back in Millersburg. He comes in her store wearing a mask and walks up with a knife and acts like he is going to rob them. She said nothing is being done about him. She said she now carries a taser, as well as all of her employees because they don't feel safe. Another incident, she had an individual come in and grab one of the managers and tried to kiss her. That individual she said, is a known sex offender. Captain Herman told her this person is known to do this sort of thing and he was told not to come back to the store. This individual physically assaulted her employee and it was on camera. Byland said she does not feel safe. She noted she lives behind Dollar General and watches drugs being thrown into the dumpster and others come to pick them up. Hoffee said this is terrible and unacceptable and no one should feel unsafe in the Village. Byland said when the first individual was breaking in the window, it took police ten minutes to arrive, even after she told them he was beating on the window, trying to break it. Hoffee said it should not have come to this, where Byland feels the need to carry a taser. Hoffee said before the meeting tonight, her dog was yelping in the back yard and she told her husband to get the gun. She said

it's sad she had to tell him to do that because she didn't know who was out there or what they may be doing. Byland said the first individual she addressed, is repeatedly taken to Wooster and then Wooster brings him back again. This person needs help, not taken back and forth. She said he has tried breaking in to several places on the south end of town and Walmart has chased him off. She feels nothing is being done and said she will not even walk on the trail anymore, because there are too many things going on in town. Hoffee said she had a couple of people contact her and suggested a "neighborhood watch" group be formed. She said Millersburg is not that big and it doesn't take long to get from one end of town to the other, unless it is 3:00 in the afternoon. Millersburg has a police force. She noted she had a conversation with Chief Shaner last week about sending officers into residential areas, patrolling more and not sitting in the same spots where everyone knows they sit. Shaner told her he had a conversation with some of the officers because there is no presence in residential neighborhoods. Hoffee said this why kids think it's okay to stab dogs and there needs to be daily patrols. Conn said it saddens him to hear of these incidents, but he would like to convey to residents that if they see something they are uncomfortable with or see illegal activity, to call the police, even you need to call again. That's what the police are here for and he hopes Byland and others will follow up with calls if nothing is happening, as this is unacceptable. Conn said with the kind of behavior that has been talked about tonight, he is a firm believer in community policing. Instead of an officer sitting in the car, perhaps they should get out of the vehicle, walk around and police areas on foot, and even stop by a park (if they aren't on any calls or working an investigation), and shoot a few baskets with kids playing ball. Conn also talked about the annual report of the Police Department that Kellogg shared with him. He admits he did not carefully review the report until Kellogg brought it to his attention. He said it is concerning that in 2018 there were 246 speeding tickets issued; 2019 – 109 issued; 2020 – 10 issued; and in 2021 only 2 were issued and he does not understand that. Mayor Huebner pointed out that numbers dropped, it was at the peak of the pandemic. Hoffee said there was still drag racing going on during the pandemic. Huebner said drag racing is another issue, but as a nation we were all told to social distance, mask up, and stay safe and it was not fair to ask officers to get out a car in the midst of this. Kellogg said the Governor lifted the recommendations in June of 2021. Speeding violators were in their cars and officers were masked. She said you cannot use that as a defense for the few tickets that were written. Huebner said he and the Chief talked last week and before the meeting tonight and he believes some changes will be coming. Hofstetter said he was curious about the big drop in speeding tickets as well and asked the Chief to share the information that was provided to him. Shaner said two of the officers during that time (they are no longer employed by Millersburg) were not certified or trained on laser or radar. He had them scheduled for classes, but they were cancelled because of Covid. Hoffee said it still seems that out 365 days a year and running three shifts, two tickets being issued does not make sense. Kellogg asked Huebner if he confirmed if there were ever cameras used for red light violations. Huebner said he checked and the Village has never had cameras in use. She referred to the son of a former Council member (Greg Hardesty) and asked if he received a red-light violation from camera use. Former Chief Tom Vaughn, (current Council member) stated the citation was a result of a red-light operations project and was recorded by video. Kellogg said, so this same process could be used now to ticket red light violators and record people who almost hit pedestrians in the cross walks. Huebner noted we do not have cameras at intersections and we never have. What we had was a person stationed at a location and running video equipment. She asked if that could be done again. Vaughn said that with the change out of traffic signals since that time, this can no longer be done. The color of the lights does not pick up on recording for some reason. Hoffee asked Shaner if all of the current road officers are certified with laser and radar, which Shaner confirmed they are all certified. She also asked how many speeding tickets have been issued so far this year. Shaner said he did not know. Hofstetter asked if they exceeded two for this year. Shaner said his guess is no, as he does not remember seeing any come through. Conn said he has to ask himself why the drop. Taking Covid out of it, between 2018 and 2019 the number of tickets issued dropped more than half. Something started happening and it continues to get worse. Hofstetter asked if anything procedurally changed between those years, of which Shaner replied nothing changed procedurally. Hoffee asked him if he had an answer for the drop in numbers and why we have less than two this year. Shaner indicated he did not have an answer. Hoffee suggested that the officers be brought in for a Council meeting to talk to them about why this is happening, to which Shaner said he could arrange that. Vaughn spoke up and said that is not Council's role, it is the role of the Chief. Hoffee said the Chief doesn't have any answers, so it becomes Council's problem. Vaughn said Council should direct the Chief to talk to the officers to get the answers and report back to Council and it is not appropriate to bring officers in to Council. They are under the Chief's command and his command only. Conn said even if it was Council's role, he would not want to bring in officers and he would want the

Chief to follow up. Hoffee agreed, but cautioned that she wanted actual answers, not excuses. She noted we need to do things in this Village to make people feel safe because that is Council's role.

APPROVAL OF PREVIOUS MINUTES

TYPE OF MEETING:		Regular	
SUSPEND READING OF MINUTES HELD ON:		6/13/2022	
MOTION BY:		Polen	
MOTION SECONDED BY:		Hofstetter	
VOTING ROLL CALL:			
Polen	Yes	Hofstetter	Yes
Hoffee	Yes	Conn	Yes
Shoemaker	Yes	Vaughn	Yes
VOTING RESULTS:		YES: 6 NO: 0	
MOTION TO APPROVE BY:		Hoffee	
MOTION SECONDED BY:		Conn	
VOTING ROLL CALL:			
Hoffee	Yes	Conn	Yes
Polen	Yes	Shoemaker	Yes
Vaughn	Yes	Hofstetter	Yes
VOTING RESULTS:		YES: 6 NO: 0	

APPROVAL OF BILLS

BILL RESOLUTION 2021-17	Bills \$277085.21	Payroll \$51089.57	Total \$328174.78
MOTION BY:		Shoemaker	
MOTION SECONDED BY:		Vaughn	
VOTING ROLL CALL:			
Shoemaker	Yes	Vaughn	Yes
Polen	Yes	Hoffee	Yes
Conn	Yes	Hofstetter	Yes
VOTING RESULTS:		YES: 6 NO: 0	

DEPARTMENT HEAD/OFFICIAL REPORT

DEPARTMENT:	FISCAL
REPRESENTATIVE'S NAME:	CLERK-TREASURER KAREN SHAFFER
Reminded Council the 2023 Annual Tax Budget Public Hearing is scheduled for July 11 at 6:45 pm.	

OLD BUSINESS

TOPIC: Meeting Date Change	
PRESENTED BY: Kelly Hoffee	
DISCUSSION: Hoffee asked for the reasoning behind the change of meeting dates since she was not present at the last Council meeting. Several Council members said that since most meetings have been rather short, they would like to try going to one per month on a trial basis during July, August, and September, and then see how to proceed.	

NEW BUSINESS

TOPIC: Fuel Costs	Centurylink Service
PRESENTED BY: Kelly Hoffee	Tom Vaughn
DISCUSSION: Hoffee asked Shaffer how we are on fuel costs so far this year. Shaffer said the purchase order she wrote out in January for the entire year, will soon be depleted. Funds are available to issue an additional order for the remainder of the year. When encumbrances were done at the beginning of the year, it was not known the cost of fuel would increase as significantly as it has.	
DISCUSSION: Vaughn asked Solicitor Hines if anything could be done about the service of Centurylink. After the recent storm, Port Washington Road was closed for eight days, due to their lines being down. Centurylink was seen out in the middle of a field repairing lines, but left roads and streets with downed	

lines closed. Hines said he was not aware of anything the Village could do, other than to put pressure on the higher ups at Centurylink.

NEXT SCHEDULED MEETING

TYPE OF MEETING	Public Hearing - Budget
DATE:	7/11/2022
TIME:	6:45 PM
TYPE OF MEETING:	Regular
DATE:	7/11/2022
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
Hoffee	Yes	Conn	Yes
Shoemaker	Yes	Vaughn	Yes
VOTING RESULTS:	YES: 6 NO: 0		

MINUTES PREPARED BY

SIGNATURE: Karen Shaffer	TITLE	DATE
	Clerk-Treasurer	7/5/2022

ATTESTED BY

SIGNATURE: Karen Shaffer	TITLE	DATE
	Clerk-Treasurer	7/11/2022

CERTIFICATION

SIGNATURE: Jeff Huebner	TITLE	DATE
	Mayor	7/11/2022