



# 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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## **SPECIAL MEETING OF COUNCIL**

March 25, 2013 – 6:00 PM

The Council of the Village of Millersburg met at the James Crissey Memorial Pool. Council members in attendance were Devone Polen, Mike Uhl, Junior Vaughn, Greg Hardesty, Jim Beechy, and Ruby Baird. Mayor Huebner was absent. Council inspected the facility to determine the feasibility of reopening the pool since its closing at the end of 2010. Administrator Troyer led Council around the pool foundation showing areas of concern. One corner section of the 9' area was floating due to water underneath. Numerous other areas of the pool were inspected showing many cracks; rusting ladders; exposed rebar; and needed deck repairs. Troyer indicated the pool would need to be cleaned, sandblasted, crack sealed, and painted. The filter system would not be able to be tested until such time the pool was filled. The damages to the pool are typical every year; however, there are more repairs due to it being closed for two full seasons. Council adjourned and will discuss options at the regular meeting to follow.

## **REGULAR SESSION OF COUNCIL**

The Council of the Village of Millersburg met in regular session on March 25, 2013 at 7:00 p.m. Council President Jim Beechy 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, Mike Uhl, Junior Vaughn, Greg Hardesty, Jim Beechy, and Ruby Baird. Solicitor Robert Hines was also in attendance. Motion made by Polen to excuse Mayor Huebner. Seconded by Uhl. Upon roll call, motion carried with Polen, Uhl, Vaughn, Hardesty, Baird, and Beechy voting aye.

**MINUTES:** Motion made by Hardesty to suspend the reading of the minutes of the previous meeting. Seconded by Baird. Upon roll call, motion carried with Hardesty, Baird, Vaughn, Uhl, Polen, and Beechy voting aye. There were no additions or corrections. Motion made by Baird to accept the minutes as presented. Seconded by Polen. Upon roll call, motion carried with Baird, Polen, Uhl, Vaughn, Hardesty, and Beechy voting aye.

**BILLS:** Motion made by Vaughn to pay bill resolution 2013-10 Bills' \$121812.51; Payroll \$32798.87; total \$114493.38. Seconded by Hardesty. Upon roll call, motion carried with Vaughn, Hardesty, Polen, Uhl, Baird, and Beechy voting aye.

### **REPORTS OF OFFICERS:**

#### **Administrator Troyer:**

Informed Council several Victorian lights have been switched over to LED (Tier 2 project) as a test/trial. Troyer indicated the Village would like residents to check them out and provide feedback before the remaining lights are changed out. These lights are installed at the intersection around "Bags".

Informed Council after Kimball reviewed their current schedules with other municipalities and operations staff, Kimble is requesting that we consider moving recycling

pickup to an every other week schedule as opposed to the 2<sup>nd</sup> and 4<sup>th</sup> Friday of the month like we had previously discussed. This is a more cost effective option that allows them to coordinate multiple pickup routes on the same days. Council had no objections.

Asked Council for discussion on renewing the swimming pool license. To keep the pool license current, the fee is a total of \$1081.25 for 2012 and 2013. Without paying these fees the Village would no longer be a "grandfathered status" and major renovations would be required by the State. Troyer indicated he has been talking with the Health Department and two items of concern were raised. 1.) In 2008 the Village installed the required suction fittings and grate as required by the "Virginia Graham Baker Act". At this point the Ohio Dept. of Health is indicating they never received the Compliance Certificate and paperwork. 2.) The State also needs to see paperwork on the concrete work/repairs done to the pool in 2011, as this may have been needed to be approved by the State as well. Information on these two issues will be provided to the State to determine if these affect the grandfathered status. With issues being addressed and the license fee deadline approaching, a motion was made by Uhl to pay the \$1081.25 license fee. Seconded by Hardesty. Upon roll call, motion carried with Uhl, Hardesty, Polen, Vaughn, Baird, and Beechy voting aye. Council asked for cost estimates on getting the pool ready for operations again. President Beechy asked for any comments from the visitors in attendance. Betty Patterson commented that while the pool provides recreational activity for the community, safety issues are more important and without the pool operating, swimming lessons provided by the Red Cross are unable to be given. Tom Bird suggested the Village contact the County Commissioners to discuss the possibility of the County helping with funding as they are receiving the new "Casino Tax" funds. The pool is used by residents from all over the county, not just Millersburg. Ralph Lowe felt that with the existing location of the pool there will always be inadequacies with the pool that are irreparable. He suggested the Village adopt a long-term plan with the goal of constructing a new swimming facility. Rose Habrun noted she has been contacted by several people from all over the area on the need for lessons. President Beechy noted that the Village loses money every year on the pool. The pool however is low on the list of priorities and the fiscal responsibility is on Council. Beechy felt if the pool is to reopen, it will need to be an effort by the entire community. Clerk Shaffer cautioned Council on funding the pool operations as new tax money is already committed to proprietary functions of the Village as directed by Council. Administrator Troyer will get more information to Council.

Informed Council he contacted Texzon (electrical aggregation) of the Villages desire to proceed with the opt-out program. We are now waiting on AEP/Texzon to prepare the required documents and legislation to take the next step in this process.

As discussed at the last meeting, Troyer informed Council that Holmes Pest Control has offered to perform mosquito fogging for the Village for the same terms as 2011. Copies of the proposed terms were included in packets for review. A motion was made by Hardesty to approve the mosquito fogging contract for 2013. Seconded by Polen. Upon roll call, motion carried with Hardesty, Polen, Uhl, Vaughn, Baird and Beechy voting aye.

**SOLICITOR HINES:** Informed Council the letter for the D3 liquor license "Trex" from Bags to Cueramo (mexican restaurant) was ready if Council approved the transfer. Hines explained the letter is to the Dept. of Liquor Control which states the Village does not object to the transfer. Motion made by Hardesty to approve the transfer and authorize President Beechy to sign the letter. Seconded by Baird. Upon roll call, motion carried with Hardesty, Baird, Uhl, Vaughn, and Beechy voting aye. Polen voted nay. In a related matter, Hines explained the next step would be to respond to a notice from the Dept. of Liquor Control. This notice asks if Council requests a hearing on the transfer and would need to be marked and signed by the Village Clerk. Hines asked for approval for the Clerk to complete the form when she receives it to expedite the process. Motion made by Uhl to authorize the Clerk to sign the form and check

the box that Council does not request a hearing. Seconded by Hardesty. Upon roll call, motion carried with Uhl, Hardesty, Polen, Vaughn, Baird, and Beechy voting aye.

**LEGISLATION:** President Beechy read Ordinance 2013 -100 "An Ordinance Amending Section 929.16 Of The Sewer Ordinances" for the third time by title only. Motion made by Uhl to pass and adopt Ordinance 2013-100. Seconded by Vaughn. Upon roll call, motion carried with Uhl, Vaughn, Polen, Hardesty, Baird, and Beechy voting aye.

President Beechy read Ordinance 2013-102 "An Ordinance Vacating An Alley In The Village Of Millersburg" for the second time by title only.

President Beechy read Resolution 2013-11 "A Restated Resolution Of The Village Of Millersburg, Holmes County, Ohio As Required By The Ohio Police And Fire Pension Fund" for the first time by title only.

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

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Approved Date

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Karen Shaffer, Clerk-Treasurer

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Jeff Huebner, Mayor