

Village of Harveysburg

Village Council

August 9, 2021 – 7:00 PM

Present:

Dick Verga – Mayor
Pat Bennett – Councilman
Randy Caruthers – Councilman
Steve Cochran – Councilman
Charles Juniel – Councilman
Jim Nelson – Councilman
Mark Tipton – Councilman / President of Council

Absent: None

Village Staff Present:

Mary Wilkie – Village Fiscal Officer
Richard Pottenger – Chief of Police

Visitors / Guests:

Kim Herberth – Village Resident, Ashley Richardson – Harveysburg, Clerk of Court

This is a summary of the meeting of the Harveysburg Village Council held Monday August 9, 2021, at 7:00 PM. Upon request, a recording of the meeting is available for review.

Mayor Verga called the meeting to order at 7:00 PM

Disposition of Previous Minutes: Motion made by Mr. Bennett to approve the minutes from July 26 Council. Second by Mr. Juniel. Motion passed by voice vote – 6 yea / 0 nay.

Mayors Report: Mr. Verga

The Front Door project is still alive and well, and the Mayor is holding a citizens meeting on Tuesday August 17, (No Council representatives are invited) to discuss ideas. The Mayor said that he will have a Front Door plan together by next Council meeting and will present it to Finance Committee.

Fiscal Officer Mary Wilkie inquired about the status of the completion of the Warfeld annexation. Mayor responded that he does not know the status or the final disposition of the records regarding the Warfeld annexation.

Ken and Loraine project, sewers and asphalt portions are complete and landscaping of excavated areas still underway. Mayor Verga notes that the parking lot was covered with asphalt despite telling Shawn Campbell not to pave it, and that “Shawn Campbell screwed up, and I think intentionally”.

Parking lot at the Black School continues to be a source of discord and discussion of the status of the parking lot at the Black School then commenced. Noting that the parking lot was constructed without benefit of a building permit, using an unapproved plan and was in direct violation of a “Stop Work Order”, the hard decision of issuing “Notice of Violations” was discussed. Mr. Webb notes that this is

the only recourse that we have for the enforcement of our zoning code. The remedy is not against Shawn Campbell, the remedy is against the owners of the property, the Harveysburg Historical Society.

Motion by Mr. Tipton to have our Village Solicitor send a "Notice of Violation" to the Harveysburg Historical Society for the construction of a parking lot without benefit of a building permit. Second by Mr. Carruthers. Roll call vote – Carruthers, Cochran, Juniel, Tipton – Aye, Bennet -Nay, Nelson – Abstain. Motion passed.

Motion by Mr. Tipton to have our Village Solicitor send a "Notice of Violation" to Harveysburg Historical Society for ignoring a standing "Stop Work Order" that had been issued and posted on the parking lot of the Historical Black School. Without benefit of a building permit, the non-approved parking lot was subsequently covered with asphalt. Second by Mr. Carruthers. Roll call vote – Carruthers, Cochran, Juniel, Tipton – Aye, Bennet -Nay, Nelson – Abstain. Motion passed.

President of Council Report: Mr. Tipton

All topics for this meeting are best covered under new and old business.

Fiscal Officer: Ms. Wilkie

Ms. Wilkie made the request that we hire Ashley Richardson as Clerk of Court for the Village of Harveysburg. Discussion was held and it was determined that hiring Ms. Richardson is in the best interest of the Village. Mr. Tipton made the motion to hire Ms. Richardson at a pay rate of \$25/hr. Second by Mr. Juniel. Roll Call vote – Bennett, Carruthers, Cochran, Juniel, Nelson, Tipton – Aye, Nay – none. Motion passed.

Ms. Wilke reported that the Village was billed \$175 by Republic for the second bulk container. The second container was requested because the first container was not picked up as scheduled resulting in additional debris being piled. This resulted in the container being overfilled and not road worthy. Received go ahead to pay Republic for the extra container.

Ms. Wilke requested that Council direct her to apply for ARPA monies. Motion made by Mr. Tipton for our Fiscal Officer to apply for ARPA grant monies. Second by Mr. Juniel. Roll Call vote – Bennett, Carruthers, Cochran, Juniel, Nelson, Tipton – Aye, Nay – none. Motion passed

Village Attorney Report: Mr. Mark Webb

Mayor's Court payments to County and State are now current. Ms. Richardson uncovered an issue with 34 citations made to the on-line payment system that were not properly accounted for in the Baldwin system. This threw into question all license forfeitures issued in July. Mr. Webb and our Magistrate Rob Kauffman made the decision to lift all license forfeitures from the July court docket. Mr. Webb informed Council that some persons that have paid their reinstatement fees may be in contact with the Village for reimbursement. Mr. Webb is also going to contact the BMV to try to get a waiver for all reinstatement fees for involved parties. Ms. Richardson then told Council that she discovered another 32 citations that had also not been properly entered into the Baldwin system and were not properly associated with the citation. Payments were taken and the citations were placed into the case closed file. By working with the bank and Baldwin support she got the unidentified / uncorrelated citation count down to less than 4.

Mr. Webb will attend Jordon Wright, Bureau of Workers Compensation hearing (virtual - zoom meeting) on Thursday 8/12/21.

Mr. Webb contacted the State Liquor Board regarding the liquor license for the Haunt. Current application was denied. The Brimstone Haunt LLC will be going forward with a new application using corrected address and local authority.

Mr. Webb presented Council with details of an Ohio Specific Opioid Settlement that is a settlement between opioid producers and the Ohio Attorney General. This could result in a sum of \$1,706 to \$2,437 to be provided to the Village of Harveysburg as laid out in the distribution plan. A prepared ordinance was provided to Council with action needed by August 13.

Motion made by Mr. Cochran to declare Ordinance 2021-02 to be an emergency and waive the three readings. Second by Mr. Bennett. Roll call vote – Bennett, Carruthers, Cochran, Juniel, Nelson, Tipton – Aye, Nay – none. Motion passed.

Motion made by Mr. Bennett that we pass Ordinance 2021-02, Authorizing the Mayor to execute a Participation Agreement consistent with the “National Opioid Distributor Settlement Agreement”, and it be sent to the State Attorney General. Second by Mr. Cochran. Roll Call vote – Bennett, Carruthers, Cochran, Juniel, Nelson, Tipton – Aye, Nay – none. Motion passed

Guests:

No topics.

Old Business:

No topics.

New Business:

Mr. Tipton informed Council that all remaining lots in Sheperds Ridge subdivision were being sold to Christo Homes. Christo Homes builds homes in Cincinnati, Middletown, and Dayton. Discussion ensued about snow removal, Homeowners Association and future dedication of the streets.

Mr. Tipton announced that we have another “without permit” demolition of a garage at 374 East Main Street. PNC bank (Landowner) was contacted regarding the need for a Demolition Permit and that the demolition needs to also remove the garage floor. No response from PNC.

Mr. Nelson speaking for the Harveysburg Historical Society requested access to Village buildings and parking lot for their September 18th Walk-Through tour. All agreed that this was a good idea.

Police: Chief Pottenger

See attached report.

Mr. Pottenger was informed by Council that the noise on Thursday evenings “Bike Night” at the Renaissance location is still a problem. Mr. Pottenger said that he will try to have two cars out there this week.

Mr. Pottenger requested a Grants meeting for Thursday 8/19 at 7:15 PM.

Committees:

Community Relations

Finance

Grants Meeting -Thursday 8/19 at 7:15 PM

Planning and Zoning

Records

Trees

Motion to pay bills and accept the bank reconciliation was entered by Mr. Nelson. Seconded by Mr. Juniel. Roll Call vote – Bennett, Caruthers, Juniel, Nelson, Tipton – Aye, Nay – none. Motion passed.

Mr. Nelson made the motion to adjourn at 8:25 PM. Second by Mr. Juniel. Motion passed by voice vote.

Attest:

Mark Tipton, President of Council, covering for Clerk of Council

Mayor Richard Verga

Mark Tipton, President of Council

Steve Cochran

Randy Carruthers

Pat Bennett

Charles Juniel

Jim Nelson