

Village of Harveysburg

Village Council

January 22, 2024 – 7:00 PM

Present:

- Mayor Jonathan Funk
- Jim Nelson – President Pro Tempore
- Pat Bennett
- Dick Verga
- Randy Carruthers

Absent:

- Kim Herberth
- Charles Juniel

Village Staff Present:

- Chase Kirby – Village Solicitor
- Heather Matuszak – Clerk of Council
- Mary Wilkie – Fiscal Officer

Visitors / Guests:

- Noal Dittmar Lesniak – Harveysburg Resident
- Mark Tipton – Harveysburg Resident
- Sahir Rama – Harveysburg Resident

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*This is a summary of the meeting of the Harveysburg Village Council held January 22, 2024, at 7:00 PM.
Upon request, a recording of the meeting is available for review.*
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Mayor Funk calls the meeting to order at 7:04 pm. He leads the Pledge of Allegiance and a prayer.

Roll Call: Nelson, Bennett, Verga, Carruthers

Motion made by Mr. Bennett to excuse Ms. Herberth and Mr. Juniel. Second by Mr. Nelson. Vote – Nelson, Bennett, Verga, Carruthers – Aye / Nay – None. Motion passed.

Disposition of Previous Minutes:

Motion made by Mr. Bennett to approve the January 8th minutes as written. Second by Mr. Carruthers. Vote – Nelson, Bennett, Verga, Carruthers– Aye / Nay – None. Motion passed.

Mayors Report:

Mayor Funk states he passed around a name, phone number, and email list for all Council members and staff to fill out, so he has contact information.

Mayor Funk states he wants to suspend all committees until further notice except for Planning & Zoning Commission, Records Committee, and the Admissions Tax Committee. He states we will include these committees during our regular Council meetings and assess holding separate meetings again in the future on an as needed basis.

Mr. Verga states that the benefit to having committee meetings outside of the Council meeting is having residents on the committee and receiving outside input. Mr. Bennett adds that there are people part of these committees who have greater knowledge in those specific areas compared to the Council members. Mr. Nelson states he would agree with a 3-month suspension until Mayor Funk gets a handle on his new position and then revisit holding separate committee meetings.

Mayor Funk states the Village is looking for a Zoning Enforcement Officer. Having this position would take weight off the Planning & Zoning Commission because they have been responsible for this when they really shouldn't be.

Mayor Funk proposes a \$2,000 stipend per year for Planning & Zoning Commission President Tim Hill. He has put forth tremendous time and effort since taking on this position. He often spends 30 or more hours per month working on issues or projects through the Planning & Zoning Commission. The Council likes the idea but agrees that we need to check the legality. Guest Mark Tipton states according to ORC 713, all members of the Planning Commission must serve without compensation.

Mayor Funk asks that every Council member come up with 1-, 3-, and 5-year goals for the Village and how we can make it happen.

President of Council Report:

Mr. Nelson states we still need the streetlight installed at North/Lorraine.

Mr. Nelson states when Grant Street was redone, they removed all the street signs and they were not replaced.

Mr. Nelson states a new flag was purchased for the flagpole, but we will need a lift to stretch the cable back up. A lift rental will be about \$300/day.

Fiscal Officer:

Mrs. Wilkie states that we will need a resolution at the next meeting for an increase in trash services. The price increases May 1st by \$0.85 per month.

Mrs. Wilkie states she passed out January to December cash summary by fund for Council to look at and see the changes. She also passed out December checks and there are some revenue adjustments she needs to make before she closes out 2023.

Motion made by Mr. Nelson to pay bills. Second by Mr. Bennett. Vote – Nelson, Bennett, Verga, Carruthers – Aye / Nay – None. Motion passed.

Motion made by Mr. Nelson to accept the bank reconciliation. Second by Mr. Carruthers. Vote – Nelson, Bennett, Verga, Carruthers – Aye / Nay – None. Motion passed.

Village Attorney Report:

Mr. Kirby reads Resolution 2024-01: Supplemental Appropriations.

Motion made by Mr. Nelson to declare Resolution 2024-01 an emergency and waive the three readings. Second by Mr. Carruthers. Vote – Nelson, Bennett, Verga, Carruthers – Aye / Nay – None. Motion passed.

Motion made by Mr. Nelson to adopt Resolution 2024-01. Second by Mr. Carruthers. Vote – Nelson, Bennett, Verga, Carruthers – Aye / Nay – None. Motion passed.

Mr. Kirby reads, by title only, Ordinance 2024-01: Approving, adopting, and enacting American Legal Publishing's Ohio Basic Code, 2024 Edition, as the code of ordinances for the Municipality of Harveysburg, Ohio, and declaring emergency.

Guest Sahir Rama asks why we need to adopt the Ohio Basic Code instead of just enforcing the Ohio Revised Code. Mr. Kirby states that in order to bring cases into Mayor's Court our police department must cite individuals under the Ohio Basic Code. When cited under the Ohio Revised Code, Warren County has jurisdiction and the cases go to county court and the Village receives no money from tickets or fines.

Motion made by Mr. Bennett to declare Ordinance 2024-01 an emergency and waive the three readings. Second by Mr. Carruthers. Vote – Nelson, Bennett, Verga, Carruthers – Aye / Nay – None. Motion passed.

Motion made by Mr. Bennett to adopt Ordinance 2024-01. Second by Mr. Nelson. Vote – Nelson, Bennett, Verga, Carruthers – Aye / Nay – None. Motion passed.

Mr. Kirby reads, by title only, Ordinance 2024-02: Adopting the Harveysburg Village Council Rules of Procedure. This is the first reading.

Mayor Funk goes over some suggested changes to the document.

- We need to update Rule 14 to reflect our current order of business.
- We need to update Rule 21 to reflect our current committees. Mr. Bennett adds that we need to change that the Mayor appoints members and not the President of Council.
- We need to update Rule 22 to reflect the clerk prepares the agenda and will distribute via email.
- The agenda reflects it will be provided two business days before the meeting. Should this stay the same or change to reflect one business day as it has been for a while? Also, should we specify under Rule 15 when the minutes will be delivered and how they will be distributed? It is

decided that the minutes and the agenda will be delivered to Council members via email two business days before the next meeting.

- I would like to consider adding a public participation section. This would specify that people who would like to speak must be acknowledged first and state their name and address for the record. We could also consider adding a 2-minute time limit on speaking and that time limit could be waived by council when necessary. This section would also state that violating this procedure could result in removal from the Council Chamber.
- There are minor grammatical or punctuation errors in the document that will need to be corrected as well.

Guests:

Noel Dittmar Lesniak asks what the general turnaround time is for the Council minutes posted on the website. Mrs. Matuszak states that once they have been approved, they are typically posted the next day. Mrs. Matuszak will check with Joe about getting the minutes posted. Mr. Kirby mentions that the Ordinances and Resolutions have not been updated since 2019 either. Mrs. Matuszak will also check into getting those updated on the website.

Old Business:

Mayor Funk states that to his knowledge the gym roof leak has not been looked at. Mr. Verga states the person he spoke to has not been out to look at the roof.

New Business:

Mr. Verga reports that Phil Trovillo hurt his knee again and may need another knee surgery. He states Chief Pottenger is still sick as well and hopes to be back soon.

Mr. Bennett asks if there are plans to salt the roads with ice predicted tonight. Mr. Nelson states that you don't want to salt the roads with rain coming because it will wash the salt off and won't be effective against ice that forms.

Mayor Funk reports that Police Vehicle #1 would not start today and when they tried to get it going the motor started smoking. They aren't sure what caused the smoke, but they will have it towed to the county garage tomorrow to be looked at.

Mr. Verga asks Mrs. Wilkie if she is aware of any approval to have the brake lines fixed on the old truck. Mrs. Wilkie states she will look into it. She believes money was approved but will need to check for what trucks.

Police:

Chief Pottenger absent and there is no report.

Planning Commission:

NONE

Committees:

The following committees have been suspended until further notice: Streets & Buildings, Finance, Police, Community Relations, Tree Board, and Grants. All committee business will occur during the regularly scheduled Council meetings.

Planning and Zoning – 1/23 at 6:30pm
Records – TBD

Motion made by Mr. Nelson to adjourn at 8:02pm. Second by Mr. Carruthers. Passed unanimously.

Attest:

Mayor Jonathan Funk

Jim Nelson, President of Council

Pat Bennett

Dick Verga

Randy Carruthers

Kim Herberth

Charles Juniel

Heather Matuszak, Clerk of Council