

Village of Harveysburg

Village Council

February 13, 2023 – 7:00 PM

Present:

- Mayor Richard Verga
- Jim Nelson – Councilman
- Pat Bennett – Councilman
- Kim Herberth – Councilwoman
- Charles Juniel – Councilman
- Mark Tipton – President of Council

Absent:

- Randy Carruthers – Councilman

Village Staff Present:

- Chase Kirby – Village Solicitor
- Richard Pottenger – Police Chief
- Heather Matuszak – Clerk of Council

Visitors / Guests:

- Charles Camp – Harveysburg Resident
- Randy Nason – Harveysburg Resident

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*This is a summary of the meeting of the Harveysburg Village Council held February 13, 2023, at 7:00 PM.
Upon request, a recording of the meeting is available for review.*
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Mayor Verga calls the meeting to order at 7:08 pm.

Roll Call: Nelson, Bennett, Herberth, Tipton, Juniel, Mayor Verga

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

Disposition of Previous Minutes:

Motion made by Mr. Tipton to approve January 23rd Council Minutes as written. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye/ Nay – None. Motion passed.

Mayors Report: Mr. Verga

Mayor Verga asks if the Village will be held liable for any accidents, such as fires, that happen on properties operating as businesses that are zoned as residential. Mr. Kirby responds that the Village

should not be held liable for accidents that occur on properties that are zoned incorrectly whether the Village is aware of the incorrect zoning or not.

Mayor Verga informs Council that he has spoken to Alma Plummer and due to her recovery from hip surgery, she will not be able to attend the February 16th Records meeting. It will be pushed back to March 16th.

Mayor Verga addresses Council about the Building Inspector fees he believes are being charged to the Village incorrectly. He states the building inspector is not informing people that they will be charged for certain things after speaking with them and we have never entered into an official contract that states the fees he will charge. Mr. Tipton states Mr. Rivera agreed to charge the zoning fees Harveysburg already had in place. Mr. Bennett is in agreement that citizens should be made aware of all potential charges from the building inspector.

Mayor Verga would like to go back to the practice of setting aside money every year for maintaining sidewalks, painting curbs, and patching streets with hot tar. We would likely have to hire one or two more part-time road crew members to assist with projects like these.

President of Council Report: Mr. Tipton

Mr. Tipton informs Council that he would like to reserve time to enter into executive session at the end of the meeting in regard to ORC 121.22 to consider purchase of property for public purposes.

Mr. Tipton states Patriot Communications want us to sign an e-stop agreement and he has forwarded that information to Mr. Kirby. Mr. Tipton states he thought this was cleared up under Joe Lucas, but will have Mr. Lucas send us all files regarding this litigation.

Fiscal Officer: Mrs. Wilkie

Motion made by Mr. Nelson to pay bills. Second by Mr. Bennett. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye / Nay – None. Motion passed.

Village Attorney Report: Chase Kirby

Mr. Kirby reads Resolution 2023-01: To enter into an easement and agreement for storm sewer easement, authorizing the Mayor to sign an agreement with Grantor.

Motion made by Mr. Bennett to declare Resolution 2023-01 an emergency and to waive the three readings as required by law. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye / Nay – None. Motion passed.

Motion made by Mr. Bennett to adopt Resolution 2023-01. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye / Nay – None. Motion passed.

Clerk of Council: Mrs. Matuszak

Mrs. Matuszak informs Council that her contract will be expiring on February 24th and the contract can be renewed for a period of two years if approved by Council.

Motion made by Mr. Tipton to renew the contract with Mrs. Matuszak as Clerk of Council for two years. Second by Mr. Juniel. Vote – Bennett, Herberth, Tipton, Juniel – Aye / Nay – Nelson. Motion passed.

Guests:

Major Arrasmith provided the 2022 Annual Report for the Warren County Drug Task Force. They had a total of 437 new cases. The investigations resulted in 134 felony arrests, and 86 misdemeanor arrests. Enforcement efforts led to 132 search warrants, 79 firearms seized, and 1,914 traffic stops. In 2022, Warren County in ranked 8th highest in the State of Ohio for methamphetamine seizures, 15th highest for fentanyl seizures, 4th highest for cocaine seizures, and 5th highest for marijuana seizures. A collaboration with the Substance Abuse Prevention Coalition of Warren County and DARE programs throughout the country has resulted in 84 education and prevention events during the year.

Old Business:

NONE

New Business:

Mr. Tipton relays that in the Streets & Buildings meeting it was agreed to place the old roof tin and drain pipe on GovDeals.

Motion made by Mr. Bennett to place the old roof tin and drainpipe for sale on GovDeals. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye / Nay – None. Motion passed.

Mr. Tipton relays that in the Financial Committee meeting, Mrs. Wilkie stated that County Vehicle Tax Fund was up to \$20,850. The money could be used for pre-approved road improvement projects.

Mr. Tipton reports that there will be a tire recycling program held on April 29th, plus two other dates. The locations are TBD.

Mr. Tipton reports that we have received the first bill from Republic with the increased number of homes. The number has increased from 220 homes to 250 homes.

Mr. Tipton reports that we have received the F-250 back and it has received all necessary safety upgrades.

Mr. Tipton reports that he has applied for an AED grant for the Village.

Mr. Tipton reports that we received the ChoiceOne engineering fee update. We have been billed \$13,500 for the Grant, Wilson & Main Street Project. The current bill came to \$4k. Mrs. Wilkie will pay that this week.

Ms. Herberth states that the Finance Committee recommended to give a raise to the road crew, Joe and Bill, of \$1.25/hour. Council approval is needed.

Motion made by Mr. Tipton to approve \$1.25/hour raise for Joe and Bill. Second by Mr. Bennett. Vote – Bennett, Herberth, Tipton, Juniel – Aye / Abstain – Nelson. Motion passed.

Ms. Herberth states the Finance Committee approved \$1,000 for cold patch for the roads this year and it needs Council approval.

Motion made by Mr. Juniel to approve \$1,000 for the purchase of cold patch. Second by Mr. Tipton. Vote – Bennett, Herberth, Tipton, Juniel – Aye / Abstain – Nelson. Motion passed.

Ms. Herberth states we must approve the recommended payment of \$545 to the Warren County Drug Task Force.

Motion made by Mr. Juniel to approve payment of \$545 to the Warren County Drug Task Force. Second by Mr. Bennett. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye / Nay – None. Motion passed.

Police: Chief Pottenger

-Both vehicles running well

-The next grant we will be applying for will come in May.

-Need approval for KE Rose to remove the equipment from Vehicle #3.

-We will need 4 Ohio Basic Code books.

-We have one application in process and one on hold.

-Chief Pottenger would like to ask for approval for up to \$350 for a new sign for the PD.

Motion made by Mr. Bennett to approve up to \$350 for a new PD sign. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye / Nay – None. Motion passed.

-OPOTA has released 8 of the 24 training hours for 2023. Only 3 hours have a current lesson plan. Officer Kiser should be on his own by next week. Chief Pottenger will be attending training at the County on the 21st for “Sovereign Citizen & Non-Compliance at Traffic Stops.” OPOTA will reimburse us for officer training at the end of the year.

-Chief Pottenger reports that he received notification of a Cincinnati Officer who committed suicide. Officer wellness has been a key topic recently and Chief Pottenger received contact information for a chaplain who is willing to work with us should we need one.

Chief Pottenger reports that Waynesville had two serious break-ins. One occurred at Domino’s and the other at McDonald’s. They entered drive-thru windows without triggering alarms and used tools to cut

into the safe. He has given warning to our local businesses who could become targets. He states there is a chance Earl's cameras caught one of the vehicles involved. A suspicious vehicle sat in his parking lot until Earl turned on the lights and the vehicle left quickly.

Chief Pottenger states there is a drug take back program occurring in the future, but a date is TBD.

Mrs. Matuszak informs Chief Pottenger that the Warren County SWAT team has built a shoot house in the old jail. They are opening it up to all departments who would like to use it for training free of charge.

Community Relations – Ms. Herberth

NONE

Committees:

Community Relations – Meeting 3/6 at 7:30pm

Finance - 3/20 at 6:30pm

Grants - None

Planning and Zoning – 2/22 at 6:30pm

Records - 3/16 after court

Trees - None

Motion made by Mr. Tipton to enter executive session regarding ORC 121.22 to consider purchase of property for public purposes. Second by Mr. Nelson. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye / Nay – None. Motion passed.

Guest Charles Camp and Chief Pottenger are invited to stay.

Motion made by Mr. Tipton to exit executive session. Second by Mr. Nelson. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye / Nay – None. Motion passed.

The executive session began at 8:46pm and was ended at 8:56pm.

Motion made by Mr. Tipton to allow Mr. Kirby to engage the owners of properties discussed in executive session for possible purchase. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye / Nay – None. Motion passed.

Motion made by Mr. Bennett to adjourn at 8:56pm. Second by Mr. Juniel. Passed by voice vote.

Attest:

Heather Matuszak, Clerk of Council

Mayor Richard Verga

Mark Tipton, President of Council

Kim Herberth

Randy Carruthers

Pat Bennett

Charles Juniel

Jim Nelson