

# Village of Harveysburg

## Village Council

April 24, 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

### Visitors / Guests:

- Susan Mason – Grants Administration and Solid Waste District Director for Warren County
- Debbie York – Harveysburg Resident
- Charles Camp – Harveysburg Resident
- Kevin Brewer – Harveysburg Resident
- Carol Nelson – Harveysburg Resident
- Steve Cockerham – Harveysburg Resident

.....  
*This is a summary of the meeting of the Harveysburg Village Council held April 24, 2023, at 7:00 PM.  
Upon request, a recording of the meeting is available for review.*  
.....

Mr. Tipton states Mayor Verga will arrive late. He calls the meeting to order at 7:00 pm.

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

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

### Disposition of Previous Minutes:

Motion made by Mr. Juniel to approve April 10<sup>th</sup> Council Minutes as written. Second by Mr. Bennett. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye/ Nay – None. Motion passed.

**Mayors Report:** Mr. Verga

Mayor Verga asks the Council if we can work on getting a flyer out to the residents informing them of the upcoming changes with trash services and what they need to do.

Mayor Verga states Kevin Brewer is planning to open a pastry shop in the building at the corner of Main and Maple. During the Planning Commission meeting, Phil Trovillo told Mr. Brewer to check for gas tanks buried because there used to be gas pumps in front of that building. After checking, it turns out there are 3 tanks buried in front of the building.

Mayor Verga invites Mr. Brewer to speak. Mr. Brewer states he had the state fire marshal come out for an inspection and he located 3 tanks. The fire marshal was able to open one tank and it was empty other than 8 inches of water. There are two tanks on the right side of the building and one tank is in the middle of the road. The report he received states those tanks must be removed, and they gave him 30 days to remove them which will be May 6<sup>th</sup> or it is a \$10k fine per day over the deadline. He was assisted in filing for an extension for one year since this is a job that could not be completed within the deadline. This is a costly project, but there is grant money available. He would like to petition the Council to apply for the grant in order to assist him in completing this project. He would like to partner with the Village to have this done considering the estimated cost is \$100k. The grant can provide anywhere from \$100k to \$500k.

Mayor Verga states that the proposed new permit fee prices were posted here and at the post office, but there were not flyers sent out to each resident. He has heard much displeasure about the proposed new permit fees. He will invite audience members to speak about the permit fees later in the meeting.

**President of Council Report:** Mr. Tipton

Mr. Tipton states he was contacted by Alta Fiber regarding the Broadband Project, and they were inquiring about the permitting cost they would have in the Village for running fiber above ground and below ground. We do not have a specified permit for that work so they will be starting work soon, however, they would not give an expected date.

**Fiscal Officer:** Mrs. Wilkie

NONE

**Village Attorney Report:** Chase Kirby

Mr. Kirby reads Resolution 2023-04: To extend the Village of Harveysburg solid waste and recycling services agreement with Rumpke and to increase the monthly solid waste and recycling rate.

Motion made by Mr. Bennett to declare Resolution 2023-04 an emergency and waive the three readings. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye / Nay – None. Motion passed.

Motion made by Mr. Bennett to adopt Resolution 2023-04. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye / Nay – None. Motion passed.

Mr. Kirby states we did the first reading of Ordinance 2023-01 at the last meeting. He printed off copies of the proposed ordinance for the Council.

Guest Steve Cockerham asks about the 2 roof inspections and why they now must pay for 2 inspections. He wants to know if the inspector will tell him what needs to be fixed during the first inspection. Mr. Tipton states these inspections are mandated by the state. Mr. Tipton states the best person to answer his questions is Mr. Rivera. Mr. Tipton can provide his phone number for questions.

Guest Kevin Brewer wants to know what his inspection fee will be for his roof that is leaking. It is 40x80 and has trusses that need to be replaced. Mr. Tipton states he does not have the paper in front of him, but from memory it should be a \$50 building permit and \$140 roof permit. Mr. Tipton states they can have a special meeting with the building inspector here regarding this and Mr. Brewer agrees that would be ideal.

**Guests:**

Mr. Tipton introduces special guest Susan Mason from the Grants Administration and the Solid Waste District Director for Warren County. He explains we have a bid opening and vendor selection for the Harveysburg trash and recycling contract. He invites Mrs. Mason to speak.

Susan Mason explains that Harveysburg currently has a contract with Republic trash service and contracts typically last 1 to 2 years with renewal options. It has come time for the Republic trash service to be renewed or the contract goes up for bid and Harveysburg has decided to place the contract for bid. She explains they placed an advertisement in the local paper that the contract was up for bid, and they also sent bid specifications to the major trash companies that service the area. The bids were due tonight and there are two bids sent. The bids are sealed and have not been opened. Harveysburg received a bid from Republic and from Rumpke. Bid specification is divided into trash and recycling so we will need to add both costs together to receive the total. Republic services total will be \$29.10/month per household to provide trash and recycling cart. Rumpke services total will be \$23.73/month per household to provide trash and recycling cart. She states if the Council would like to decide tonight, she can assist in drawing up paperwork. The contracts are for 2 years and have the option of a three-year renewal.

Ms. Herberth asks if the Rumpke recycling container is the small bin, or the large recycling can. It is clarified that it is a 65-gallon cart.

Mr. Bennett asks if a free dumpster was still part of the proposal. The Republic contract states special event/yard waste clean up is \$498.96/pull. The Rumpke contract states special event \$604/pull and yard waste \$578/pull.

Guest Debbie York asks if there is an extra charge to remove furniture. There is no extra charge from either company, but you must notify the company about the bulk pickup and any mattresses must be wrapped in plastic.

Motion made by Mr. Tipton to accept the contract submitted by Rumpke trash services. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye / Nay – None. Motion passed.

**Old Business:**

Mr. Tipton prepared a demo of what a new home would cost with our current permit fees and the new proposed fees. Harveysburg fee schedule is based on habitable area vs total area under roof. The demo can be provided by request.

Guest Carol Nelson asks if the inspector sets his own fees or if the Village sets his fees. Mr. Tipton responds that the Village can ask him to raise or lower the fees. She asks when these fees will go into effect once the Village accepts the Ordinance. The answer is immediately.

Guest Charles Camp is concerned about fees that are not required by law, such as fencing. Mr. Tipton gives the example of every time someone puts up a fence, we have an issue. If the Village sets a permit fee, then they can ask questions to make sure the fencing will meet the requirements laid out in our zoning book. Mr. Camp urges those fees should be at a bare minimum, so residents are not discouraged from improving their homes.

Mr. Tipton states that one of the things lacking in our zoning book is due process. That has now been added and will be presented in the Planning Commission meeting Wednesday for acceptance. He states that Mr. Rivera proposes we use the BZA as a residential board of building appeals within the Village.

Mr. Tipton states he sent the Council the electrical aggregation notification. Residents will be receiving the notification in the early part of May. It will tell you how to opt-out if you wish.

Mr. Tipton states we have a tire recycling event this week. On Thursday and Friday residents can put their tires out by the curb with no rim and the Village will collect them.

Mr. Tipton states there is an electronics recycling on May 7<sup>th</sup> at the Warren County Justice Center in Lebanon. They also have paint recycling at this location.

**New Business:**

NONE

**Police:** Chief Pottenger

- Vehicle #2 had the started replaced.
- An estimate of \$495 was received to repair the radar unit. It is approximately \$2k for a new unit. We should repair it because it belongs to the state, and we only have it on loan.
- One application is waiting to be sent out for a background check and the other applicant we are waiting for him to pass his OPOTA testing.

- We confirmed a warrant from a person that Middletown PD picked up and we picked that person up and took them to the Warren County jail.

Motion made by Mr. Bennett to approve \$500 to have the radar unit repaired. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye / Nay – None. Motion passed.

**Community Relations – Ms. Herberth**

NONE

**Committees:**

Community Relations – None

Finance - 5/22 at 6:30pm

Grants - None

Planning and Zoning – 4/26 at 6:30pm

Records - None

Trees - None

Motion made by Mr. Tipton to adjourn at 8:52pm. 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