

Village of Harveysburg

Village Council

July 10, 2023 – 7:00 PM

Present:

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

Absent:

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Village Staff Present:

- Chase Kirby – Village Solicitor
- Richard Pottenger – Police Chief
- Mary Wilkie – Fiscal Officer
- Heather Matuszak – Clerk of Council

Visitors / Guests:

- Kevin Martin – Harveysburg Property Owner/Business Owner
- Dave Ashcraft – Ohio Renaissance Festival Owner
- Carol Nelson – Harveysburg Resident
- Earl Hendrickson – Harveysburg Resident/Business Owner

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*This is a summary of the meeting of the Harveysburg Village Council held July 10, 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 7:00 pm.
Roll Call: Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel

This meeting serves as a public hearing for 2024 Fiscal Budget, the Operating Levy, and the Police Levy.

Disposition of Previous Minutes:

Motion made by Mr. Juniel to approve June 26th Council Minutes as written. Second by Mr. Tipton. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye/ Nay – None. Motion passed.

Mayors Report: Mr. Verga

Mayor Verga reports that Kevin Brewer has been in contact with two companies regarding the fuel tank removal. He has received one estimate at this time. Mayor Verga has spoken with Warren County Archives to see if they can locate any information on whether the tank under the road is a fuel tank or a water tank. He also states that Mr. Brewer has gathered all the signatures needed to purchase the empty lot beside his property.

Mayor Verga invites Guest Kevin Martin to address the Council.

Kevin Martin states that he would like an update from the Council about the issue previously discussed about the storm sewer on his property at 464 Main Street. Mr. Tipton answers that ChoiceOne has said it is not part of the project. That storm sewer will be sealed, and the owner of the property can do what they want with it.

Mayor Verga reports that the circus that set up at the Renaissance Festival was issued a stop work order until proper permits were obtained. The owner was not aware he needed a permit since in the years prior he did not have to apply for one. Mr. Carruthers and Mr. Tipton clarify that the rules have never been enforced prior and it is OBC guidelines that a permit is needed once a tent exceeds a certain square footage. We must follow the state guidelines.

President of Council Report: Mr. Tipton

Mr. Tipton reports that the bid for the storm sewer project opened last Thursday. KT Holden Construction came in with the lowest bid of \$438,209. They offered a base and alternate option that would allow us to split the project into two separate projects so one can be completed this year. This bid came in at only \$5k over the initial estimate we received two years ago.

Motion made by Mr. Juniel to award the contract to KT Holden Construction for the Wilson and Grant storm sewer project. Second by Mr. Bennett. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Mr. Tipton states that he needs permission from Mayor Verga for his electronic signature on a form from Ohio Public Works Commission (OPWC). Mayor Verga gives his permission. Mr. Tipton completes the signature in front of the Council.

Mr. Tipton reports that later this week we have the Old Hotel adjudication meeting in Columbus.

Fiscal Officer: Mrs. Wilkie

At Mrs. Wilkie's request, Mr. Kirby reads Resolution 2023-10: Supplemental Appropriations.

Motion made by Mr. Carruthers to declare Resolution 2023-10 an emergency and waive the three readings. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Motion made by Mr. Bennett to adopt Resolution 2023-10. Second by Mr. Carruthers. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Mrs. Wilkie states that she must turn in the budget by July 20th.

At Mrs. Wilkie's request, Mr. Kirby reads Resolution 2023-11: Fiscal Year 2024 proposed budget to the Warren County Budget Commission.

Motion made by Mr. Bennett to declare Resolution 2023-11 an emergency and waive the three readings. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Motion made by Mr. Nelson to adopt Resolution 2023-11. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Mr. Carruthers asks what was involved with the plumbing fix since it cost \$2,600. Mrs. Wilkie states she was not there, but the plumber had to subcontract someone to dig up the ground to get to the line. Mr. Tipton states a plastic fitting was replaced and pvc pipe was replaced with copper. He reports that when they were digging, they broke a drain tile that needed to be repaired. Before this fix, we were losing approximately 150k gallons/month.

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

Village Attorney Report: Chase Kirby

Mr. Kirby reads Resolution 2023-12: To proceed with proposing a renewal levy plus increase for the general operating levy.

Motion made by Mr. Bennett to declare Resolution 2023-12 an emergency and waive the three readings. Second by Mr. Nelson. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Motion made by Mr. Nelson to adopt Resolution 2023-12. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Mr. Kirby reads Resolution 2023-13: To proceed with proposing a renewal levy plus increase for the police levy.

Motion made by Mr. Bennett to declare Resolution 2023-13 an emergency and waive the three readings. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Motion made by Mr. Nelson to adopt Resolution 2023-13. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Mr. Kirby completes the first reading of Ordinance 2023-01: Fee schedule for Village of Harveysburg Building Inspection Department.

Mr. Kirby reads Resolution 2023-14: Award the Wilson and Grant storm and street improvements project contract to KT Holden Construction and to authorize the Mayor to sign the notice of award.

Motion made by Mr. Carruthers to declare Resolution 2023-14 an emergency and waive the three readings. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Motion made by Mr. Bennett to adopt Resolution 2023-14. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Mr. Kirby states we have received a blank copy of a petition to surrender Village corporate powers that was submitted by Jennifer Martin. He states when he receives a copy with signatures from at least 30% of electors from the last regular municipal election we can move forward with it.

Guests:

Dave Ashcraft addresses the issue of the tent permit. He states he received information beforehand from Mr. Rivera so they knew what would be expected when it came time to be inspected. Mr. Rivera provided him with paperwork outlining the basics, but it did not have all the information needed. The main information missing was the wind load that the tent should be rated for, and the State of Ohio requires a 115mph straight line wind load. He states the information for our building department is lacking and it is hard to find the correct information. After making some improvements to the tent, the owner was able to get approval for a 115mph wind load and he could open for business. Mr. Ashcraft states that the Village has a certified building department now and that there are certain criteria that must be met to be compliant. He states the Village is not meeting all the criteria, and therefore, is not compliant.

Carol Nelson asks if the Village will be having a community yard sale this year. Ms. Herberth states that when she put a poll out, the consensus was to have the yard sale in the fall and not the summer so that it isn't as hot, and we aren't competing with other communities.

Earl Hendrickson states that he has an issue that the building inspector is only available two days a week for inspections. He states there are certain inspections that cannot wait. He was able to get Mr. Rivera to come for an inspection outside his normal days.

Old Business:

Mayor Verga states the Council has previously authorized money to be spent on new cameras to be placed around the maintenance garage and government building. He wants to know when we will get them so we can curb people dumping trash or other illegal activity. Mr. Tipton states we will need signs up stating no dumping so that we can enforce the law when it occurs. Mrs. Wilkie states she thinks Phil and Joe have been discussing the best placement for the cameras.

Mr. Bennett asks who approved to change the way we pay the building inspector when Tim Hobgood turned in his resignation. Mr. Tipton states that the Fiscal Officer, President of Planning Commission, and himself approached Mr. Hobgood about discrepancies in the folders in the filing cabinet after an Council Minutes – July 10, 2023

audit. They requested that he switch to a la carte inspection fee payments and Mr. Hobgood was not alright with that, so he made the decision to quit.

Mayor Verga states that Mr. Juniel brought up in a previous meeting that a sign was needed for Brothers Street, and it still hasn't been put up. Mr. Juniel corrects him and states that the sign was placed a week after the meeting. Mr. Nelson states there are signs missing at Old 73/Harveysburg, Wilson/South, Stewart/South, and South/Frost. He also mentions the streetlights that need to be put up at North/Lorraine. Mr. Tipton states that in the Streets & Buildings meeting it was approved to install a streetlight.

Mr. Tipton states a letter was received from Mr. Diaz, the contractor for Dawson doing the AT&T tower, requesting a project extension without penalty because AT&T pushed the project back. The building permits are set to expire because they will exceed one year.

Motion made by Mr. Bennett to grant a project extension to Mr. Diaz for the AT&T tower project. Second by Mr. Tipton. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Mr. Tipton states that he has talked with Tony Warfel and Mr. Warfel has stated he will have a packet to present for the dollar store at the upcoming Planning Commission meeting.

Mr. Tipton reports that the estimate for installing the streetlight is \$437. It has been recommended to the Council by the Streets & Buildings Committee.

Motion made by Mr. Bennett to allocate \$437 to install the streetlight at North and Lorraine. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

New Business:

Mr. Tipton reports that a complaint was received about the distribution of flyers. The complaint came from Caesar Creek Estates. They wanted to know if the Mayor authorized the flyers to be distributed this way. The flyers were blowing all over the properties in that neighborhood. Mayor Verga states that he had Bill distribute 220 flyers, but he received calls that many streets did not receive them in the Village. He isn't sure what happened with them.

Mr. Tipton states he will hold work sessions on Monday 17th and Thursday 20th at 7pm to discuss the fee schedule. They are open to the public and input is encouraged.

Mr. Tipton distributes a preliminary draft of an admissions tax ordinance to the Council for members to look over and discuss later.

Police: Chief Pottenger

Vehicles are running well.

There are no major events to report.

We have received 2 new applications.

Training has begun for the new hires.

Chief Pottenger gives thanks to Dave Crisenberry for providing volunteers and funds to have the 25th Fishing Derby.

Chief Pottenger states that Officer Roat would like to begin hosting a Junior Police Academy for children ages 10-15. This academy would last 4 days between the hours of 10am-12pm. The event would be at no cost to the Village. It would cover equipment used by police, traffic stops, cuffing a subject, running radar, a tour of the fire department, a team building obstacle course, self-defense techniques, and a K-9 demonstration.

Officer Roat would donate her time for this event and believes she has all over expenses covered. Chief Pottenger and Lt. Perkins will be on hand to supervise the academy.

Motion made by Mr. Bennett to allow the Harveysburg PD to run a Junior Police Academy as presented by Chief Pottenger. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Planning Commission:

Mayor Verga presents Timothy Hill as a nominee for the Planning Commission and would like Council approval. Mr. Hill addresses the Council about his interest for serving as part of the Planning Commission and his background.

Motion made by Mr. Bennett to accept Mayor Verga’s nomination of Timothy Hill as a member of the Planning and Zoning Commission. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Committees:

- Community Relations – None
- Finance - 7/24 at 6:30pm
- Grants - None
- Planning and Zoning – 7/26 at 6:30pm
- Records - None
- Trees - None

Motion made by Mr. Nelson to adjourn at 9:17pm. 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