

# Village of Harveysburg

## Village Council

July, 11, 2022 – 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
- Heather Matuszak – Clerk of Council

**Visitors / Guests:**

- Charles Camp – Harveysburg Resident
- Tony Warfel – Harveysburg Resident
- Alma Plummer – Historical Society
- Kevin Martin – Harveysburg Property Owner

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*This is a summary of the meeting of the Harveysburg Village Council held July 11, 2022, at 7:00 PM.  
Upon request, a recording of the meeting is available for review.*

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*This meeting will serve as a Public Hearing for Resolution 2022-11: The 2023 Fiscal Year proposed budget  
for the Village of Harveysburg.*

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Mayor Verga calls the meeting to order at 7:00pm.  
Roll Call: Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel, Mayor Verga

**Disposition of Previous Minutes:**

Motion made by Mr. Nelson to approve the June 27<sup>th</sup>, 2022 minutes as written. Second by Mr. Juniel.  
Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye, Nay – None. Motion passed.

**Mayors Report:** Mr. Verga

Mayor Verga reiterates that he would like to replace the air conditioner in the council room. Council members are reminded of the possible units and pricing stated during the last meeting. The general consensus is that we look into replacing the two furnaces or install a Mitsubishi wall unit as a long-term solution and we can gather quotes for the best option. As an interim solution, we can purchase a quieter window unit.

Mr. Bennett volunteers to check Lowe's for a temporary window unit.

Motion made by Mr. Bennett to approve \$500 for a window A/C unit in the council room. Second by Mr. Juniel. Vote – Bennett, Herberth, Carruthers, Tipton, Juniel – Aye, Nay – Nelson. Motion passed.

Mayor Verga states we need to get the gym A/C replaced as it has not functioned at all this year.

Mr. Tipton states we have had difficulty getting a company to come look at it due to needing to rent a lift to have an inspection done. Mayor Verga would like someone to take the lead on this and get something set up. Mr. Tipton volunteers to work on getting someone here to inspect and get a quote on repair.

Mayor Verga states with the way prices have increased on everything we need to increase the emergency spending limit from \$250 to \$500.

Motion made by Mr. Bennett to increase the emergency spending limit to \$500. Second by Mr. Juniel. Vote – Bennett, Herberth, Carruthers, Juniel – Aye, Nay – Nelson, Tipton. Motion passed.

Mayor Verga states the Black School would like to install their split A/C unit, but due to the current issues with their permit they are unable to be issued a new permit because of current zoning rules.

Guest Kevin Martin asks if the unit is a mini split unit. The answer is yes. If it is a mini split unit that plugs into an outlet, then a permit is not needed, and they should be able to install it. Mr. Tipton will contact our building inspector and John Boyd, who is donating the A/C, to speak with him about installation.

Mayor Verga states the certified resolution was not acceptable to the Black School's lawyer. He asks Alma to state what the lawyer would like to receive. Guest Alma Plummer states that Mark Florence, the Black School Attorney, would like a certified copy of R-6-91 mailed to him. Mr. Tipton will contact Mr. Florence directly to see what he wants sent.

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

NONE

**Fiscal Officer:** Ms. Wilkie

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 2022-08: Appoint Heather Matuszak as Village Clerk of Council/Administrative Clerk.

Motion made by Mr. Bennett to declare Resolution 2022-08 an emergency and to 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 accept Resolution 2022-08. Second by Mr. Juniel. Vote – Bennett, Herberth, Carruthers, Tipton, Juniel – Aye, Nay – None, Abstain – Nelson. Motion passed.

Mr. Kirby reads Resolution 2022-11: Fiscal year 2023 proposed budget to the Warren County Budget Commission.

Motion made by Mr. Bennett to declare Resolution 2022-11 an emergency and to 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 accept Resolution 2022-11. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye, Nay – None. Motion passed.

**\*\*Resolution 2022-12 was read and passed during this meeting. It was not realized until after the meeting that this resolution was a copy of Resolution 2022-11. Therefore, Resolution 2022-12 will not be cited.\*\***

Mr. Kirby states he will have 2 resolutions for the next council meeting. They will be for the purpose of the operating and police levy. Ms. Wilkie sent him the drafts from our previous lawyer. The draft needed to be separated into two individual police and operating levies. These will need passed at the next council meeting so they can be placed on the November ballots.

Mr. Kirby states that at the last meeting it was brought to his attention that the Village was served with a lawsuit regarding Jordan Wright being injured on duty as a police officer. He states he is going to file an answer to the lawsuit with the Warren County Court of Common Pleas and he will be working with opposing council to extricate the Village from this lawsuit.

**Guests:**

Tony Warfel would like to stop the annexation of his property from Massie Twp to the Village of Harveysburg. At a later time, he would like to look into the possibility of annexing his other property from the Village to Massie Twp. He is extremely disappointed with the amount of time it has taken and would like all action to stop at this time.

**\*This issue was discussed at length during this meeting. However, this cannot be solved during council at this time. It must be first brought through Planning and Zoning before the Village Council can address this any further.\***

Kevin Martin purchased the old CAS cable property. He has been trying to fix up the property by clearing the back 50 feet of brush. This would be an easement to the residential property on Maple Street. He would like to place gravel down and figure out how to approve a driveway onto that property. He would like to know the processes he needs to go through to accomplish this. The future of the property will be a craft bottling company.

\*This issue was discussed at length during this meeting. However, this cannot be solved during council at this time. It must be first brought through Planning and Zoning before the Village Council can address this any further.\*

Alma Plummer asks if there have been anymore incidents of vandalism around the Village or if there have been any updates on the previous incidents.

There have not been any other known incidents of vandalism and no current updates regarding the identification of the juveniles who broke into the gym or the individual(s) who attempted to break into the Black School.

Mr. Nelson states we need to address using Old 73 for public parking for the Black School Festival on the 17<sup>th</sup> of September.

Motion made by Mr. Bennett to approve Old 73 for public parking during the Black School Festival September 17<sup>th</sup>. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye, Nay – None. Motion passed.

**Old Business:**

Ms. Herberth asks Mayor Verga if anything was done about the red bud trees trimmed. Mayor Verga has not addressed it yet and he will make a call tomorrow regarding it.

**New Business:**

Mr. Tipton states he has looked into electrical aggregation for the Village through Treble Energy. They will offer us a rate of 4.5 cents per kw/h as opposed to the current AES rate of 10.9 cents per kw/h. They offer both opt-in and opt-out programs. The prices will be fixed for a year at a time. We would need to pass a resolution to enter into a contract with them. This resolution would need passed soon to be put onto the November ballot. Mr. Tipton can ask the company to come in and address council.

Guest Charlie Camp states the only issue would be that electrical aggregation companies do not offer budget billing. There are several residents who currently use the budget billing feature through AES so they have a predictable bill each month.

Mr. Tipton states the County Broadband, run by the Warren County Commissioner's, would like to bring fiber optic service to everybody within the county. They are trying to fund the project with County ARPA funds. Warren County is likely to do their own implementation. They have hired a consulting firm to assist them. They have begun sending out RFQs and the response is due in August. They are looking for a public/private funding relationship and will then define service prices. Best prediction of when this project could start is in mid-2023.

**Police:** Chief Pottenger

Chief Pottenger begins his report:

-Vehicle #3 had a battery replaced, a rear tire was going flat and needs to be replaced. We will find out what the cost will be to replace the three remaining tires.

-PD was invited to “Back to School Days” at Sure Foundation on July 23<sup>rd</sup> at 11am; the PD will host a bike safety program along with the library safety program; Police and Fire vehicles will be there for the kids to explore.

-Radar certification will be scheduled within the next 2 weeks.

-Still citing speeds over 70mph, but we have noticed a significant decrease in how many are speeding recently.

-Currently working on grants for equipment and AEDs.

-We are still waiting on the Basic Code books for 2022.

-There are 2 personnel still on leave.

-There are 4 backgrounds underway, if interviews go well there are 2 possible candidates to introduce to council.

-A valiant effort was made by Officer Cruse to save the life of a citizen from a suicide attempt.

-Officer Cruse has accepted a full-time position with the city of Sabina. He would like to remain on part-time status with Harveysburg PD. After speaking with Mary, Chief Pottenger would like to bring Officer Pearson to paid status and split the previous full-time 40 hours/week between Officer Cruse and Officer Pearson.

Motion made by Mr. Bennett to approve moving Officer Pearson from auxillary to part-time paid status. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye, Nay – None. Motion passed.

Mr. Tipton asks how close Officer Roat is to being on paid status. Chief Pottenger would like to see her begin paid status at the beginning of 2023.

Chief Pottenger reports that during the Streets & Buildings meeting it was suggested that we place No Parking signs behind the gym due to there being an issue with people parking there and leaving a very narrow lane of travel that would be impassable for fire emergency vehicles.

Motion made by Mr. Tipton to approve a maximum of \$200 for No Parking signs. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye, Nay – None. Motion passed.

Mayor Verga states that during the Black School Festival there will be food trucks. We cannot charge vendor permits on private property so we will need to make sure the food trucks do not set up in the Village after the festival has concluded.

**Committees:**

Community Relations

- Ms. Herberth reports that we received 40 free books from the Mary L. Cook library and those were handed out at the food pantry.
- Our vinyl sign examples were given to the library, and we are waiting to hear if we are chosen to receive the free signs.
- Safety Town will be held August 7<sup>th</sup> from 1-3pm. First Star Safety would like to attend to talk to the children about what the signs for road work mean and other relevant topics. She has reached out to Caesar’s Creek Park to see if they have any pamphlets regarding water safety but has not heard back yet. Drinks, chips, and stuffed animals for this event have been donated. She has purchased pencils and temporary tattoos. We plan on doing a free raffle for each child who participates. The sign in front of the office building will be changed to advertise this event. We still need some volunteers for this event, and she needs to reserve some tables and chairs through the Village to be used.
- We will have free books donated by the Lebanon Public Library for children.
- Mayor Verga asks if anybody has begun planning a Christmas party? Ms. Herberth has thought about it briefly but has not been able to give it much time yet.

Finance - Meeting 7/25 at 6:30pm

Grants - None

Planning and Zoning – Meeting on 7/26 at 6:30pm

Records - Meeting on 7/21 after court concludes

Trees - None

Motion made by Mr. Nelson to adjourn at 9:41pm. Second by Mr. Juniel. Passed by voice vote.

Attest:

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Heather Matuszak, Clerk of Council

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Mayor Richard Verga

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Mark Tipton, President of Council

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Kim Herberth

\_\_\_\_\_  
Randy Carruthers

\_\_\_\_\_  
Pat Bennett

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Charles Juniel

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Jim Nelson