

Village of Harveysburg

Village Council

July 25, 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
- Earl Hendrickson – Harveysburg Resident/Business Owner
- Alma Plummer – Historical Society
- Debbie York – Harveysburg Resident
- Gregory Popp – Harveysburg Resident
- Joe Garrett – Trebel, LLC Representative

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*This is a summary of the meeting of the Harveysburg Village Council held July 25, 2022, 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 7:04pm.

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

Disposition of Previous Minutes:

Motion made by Mr. Bennett to approve the July 11th, 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 states we have a new window a/c unit that was installed earlier in the day, and he hopes it suits our needs for the time being. He believes our best option going forward would be using the furnace in the men's restroom in the gym. It is 90% efficient and has duct work going through the offices a restrooms upstairs. We could tie in a central air unit to the furnace for cooling.

Mayor Verga spoke with Wendy Van Buren from ODNR about trimming trees around the Village. The red bud trees can be trimmed anytime. There are maple trees that need trimmed on Main Street. There is a tree on Maple St. bending over the roadway that needs cut back. There are also two black oak trees on Old 73 bending over the roadway that need cut back. He plans on getting estimates on getting all the trees trimmed back and cut away from power lines.

Mr. Carruthers adds that whoever we hire needs to be able to remove stumps so we don't get stuck in the same position as last time with stumps left all over the Village.

Mayor Verga asks if the Black School paperwork has been taken care of. Mrs. Matuszak confirms it was. He would like to put the Black School Festival on the sign out front advertising for September 17th.

Mayor Verga states he spoke with Phil Trovillo about the red truck. It was taken in to check the brakes. The brakes were fine, however, there was a long list of other things that needed to be fixed.

Motion made by Mr. Carruthers to approve up to \$1,500 for truck repair. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye, Nay – None. Motion passed.

President of Council Report: Mr. Tipton

Mr. Tipton reports the Choice One project documents have been signed and delivered. Choice One will be submitting that to the Engineer's Office this week. In total it is a \$432k project that will solve many water issues around the Village.

Mr. Tipton states the Broadband Project, headed by Matt Schnipke, request for quote went out for bid on the 17th. Responses are due August 26th. Notice of awards will be given September 13th.

Mr. Tipton reports that we received \$85k from the ODOB demolition grant for the water tower. However, a stipulation of the grant is that the money be spent by May 1, 2023. With the uncertainty of when the Broadband Project would be completed, we would be unable to take the water tower down in this time frame because we would leave the Village without access to internet. It is his opinion that we formally decline the money, and we could apply for other grants to assist us in the future.

Motion made by Mr. Tipton to formally decline the ODOB grant money. Second by Mr. Bennett. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye, Nay – None. Motion passed.

Mr. Tipton states the electrical aggregation deadline is August 10th to get on the November ballot.

Joe Garrett, a representative of Trebel, LLC in Wayne Twp, addresses council that the rate will not be 4.5 cents per kwh. He explains that the electric cost went out to bid and unfortunately AES had to buy at the highest rate causing the rates to increase for anyone who was not currently under an electrical

aggregation. He states his company would send out all the mailings informing everyone of upcoming meetings where residents can come and have any questions answered they may have before deciding to opt-in/opt-out. They will hold 3 public meetings prior to the November election for residents to attend. He confirms that they do allow budget billing, but you must call the supplier directly. If we enter into a contract with Trebel, they will send an RFP out for bid to get the best rate so he cannot guarantee a rate at this time, but it will be at market value.

Fiscal Officer: Mrs. Wilkie

Mr. Tipton reads over the Finance report in Mrs. Wilkie's absence.

Mr. Tipton reports we received the second half of the ARPA money in the amount of \$29,185.

Mr. Tipton states that council needs to approve an expenditure of \$850 for the iWorQ software for our zoning department.

Motion made by Mr. Tipton to approve \$900 for iWorQ software. Second by Mr. Bennett. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye, Nay – None. Motion passed.

Mr. Carruthers asks if this will be a one time fee. Mr. Tipton replies that this will be a yearly fee.

Mr. Tipton reports that we are still waiting on the affidavit from Ford for the LCNB fraud department receipt. Lebanon Ford was paid twice for work on our police cruiser. Once by check and a second time by credit card. They state they are not the ones that cashed the check.

Mr. Tipton states that gym rental fees need to be reevaluated and the contract more defined.

Mr. Tipton states we have levies that need approved. We are one year early to give it a second chance next year in the event it does not pass this year.

Mr. Tipton states Mrs. Wilkie was told that council increased emergency spending to \$500. This is a reminder that she still needs to be contacted about any possible expenditures to make sure there is money available for a purchase order to be compliant to the State Auditor. Mrs. Wilkie stated she heard Mayor Verga tell Joe Nelson on the phone that he did not need to contact her about buying a new a/c unit. He never contacted me this morning when he had Chief Pottenger go purchase a new a/c unit. She would like to clarify that all purchases must still go through the Fiscal Officer.

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

Village Attorney Report: Chase Kirby

At the request of Mr. Tipton, Mr. Kirby reads Ordinance O-02-22: Authorizing all actions necessary to effect a governmental electricity aggregation program with opt-out provisions pursuant to section 4928.20 Ohio Revised Code and directing the Warren County Board of Elections to submit a ballot question to the electors.

Motion made by Mr. Bennett to declare Ordinance O-02-22 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 adopt Ordinance O-02-22. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye, Nay – None. Motion passed.

At the request of Mr. Tipton, Mr. Kirby reads Resolution 2022-12: Proposing a renewal levy plus increase for the Police Levy as set out in ORC 5705.19(J) to be submitted to the electors.

Mr. Bennett states it should be 25 cents per hundred dollars not per one hundred thousand dollars. Mr. Kirby makes this correction.

Motion made by Mr. Bennett to declare Resolution 2022-12 an emergency and to waive the three readings. Second by Mr. Nelson. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye, Nay – None. Motion passed.

Motion made by Mr. Bennett to adopt Resolution 2022-12. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye, Nay – None. Motion passed.

At the request of Mr. Tipton, Mr. Kirby reads Resolution 2022-13: Proposing a renewal levy plus increase for the General Operating Levy as set out in ORC 5705.19(J) to be submitted to the electors.

Motion made by Mr. Bennett to declare Resolution 2022-13 an emergency and to waive the three readings. Second by Mr. Nelson. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye, Nay – None. Motion passed.

Motion made by Mr. Bennett to adopt Resolution 2022-13. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye, Nay – None. Motion passed.

At the request of Mr. Tipton, Mr. Kirby reads Ordinance O-03-22: Authorizing the execution of an energy consulting and management agreement with Trebel, LLC.

Motion made by Mr. Bennett to declare Ordinance O-03-22 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 adopt Ordinance O-03-22. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye, Nay – None. Motion passed.

Guests:

Charles Camp asks that council does a better job communicating meetings and if they have been cancelled. He arrived today and there was not a posted notification that the Finance meeting had been cancelled.

Mr. Juniel states we will take care of that in the future.

Earl Hendrickson asks council to secure his future boat storage plans by signing paperwork stating they have approved his future plans already and will not put a stop to his efforts. He is concerned about council passing something prohibiting more storage in the Village.

After review by the Village Solicitor, Mr. Kirby does not advise signing the document as it is not official. Mr. Carruthers, Planning and Zoning member, is also not comfortable signing the document until it has been okayed by the Village Solicitor. Mr. Carruthers and Mr. Tipton reiterate that Planning and Zoning has already approved his plans and it will not be an issue going forward.

Old Business:

Mr. Tipton states that Resolution R-06-91 was signed, stamped, and hand delivered to Mark Florence.

Mr. Tipton reports that the light estimate for the gym and maintenance garage was received. For 24k lumen fixtures it is \$128/unit and for 30k lumen fixtures it is \$148/unit. The installation price is TBD because they are going to work with us regarding the lift rental.

Mr. Tipton reports that the Black School's mini split a/c unit will require a permit after speaking with John Boyd and Mark Rivera. They will need an electrical and HVAC permit.

Mr. Tipton states we have already discussed new A/C for the building and hopefully we are able to use the furnace in the gym for this.

Mr. Tipton states that Joe Nelson needs LEAD access and a badge number because he has been handling warrants.

Chief Pottenger states he can be added as non-sworn personnel and give him a badge number.

Mr. Tipton states Dave Ashcraft wants to rezone the parcel in front of the Renaissance Festival to LE. We would like Mr. Kirby to work with their attorney on an easement first to take care of their liquor license.

New Business:

NONE

Police: Chief Pottenger

Chief Pottenger begins his report:

-All vehicles are running well other than a report that a caliper seems to be sticking on Vehicle #2.

-There are currently no new hires.

-The PD will host a bike safety program during the Safety Town event. Police and fire vehicles will be present for the kids to explore. A triathlon will be held on August 7th that the PD will be assisting with for traffic control.

- Radar certifications have been completed.
- We are still citing speeds over 70 mph on SR 73.
- We are working on AED and equipment grants.
- We are still waiting on the 2022 OBC books. For the One Claim Program, Chief Pottenger will meet with Mary tomorrow to set up an account for him to attend the class.
- There are 2 officers on leave. We expect Officer Collins back on July 27th.
- We are currently looking for 1 or 2 bookcases for the PD. Clabo has donated a 5x10 locker to store our program items (Fishing derby, Halloween, Christmas, etc.)
- Chief Pottenger would like to remind everyone that voting will be August 2nd.

Committees:

Community Relations

Ms. Herberth states that we are first in line to receive the free vinyl signs from Lebanon Public Library. There isn't a date set to receive those so she can't say for sure we will yet. The signs would be for the yard sales and fishing derby.

Ms. Herberth reports that First Star Safety has committed to the Safety Town event. The Mary L. Cook library will also be attending the event. Ceasar Creek Park donated water safety activity books but will not actually be attending. Ms. Herberth has borrowed a kayak and life jackets for the event to demonstrate water safety. Fliers have been printed and will be distributed this week.

Ms. Herberth would like to ask for up to \$150 for expenses for this event.

Motion made by Mr. Bennett to approve up to \$150 for the Safety Town event. Second by Mr. Juniel. Vote – Nelson, Bennett, Carruthers, Tipton, Juniel – Aye, Abstain – Herberth. Motion passed.

Finance - None

Grants - None

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

Records - None

Trees - None

Motion made by Mr. Tipton to place the flag at half staff to recognize the fallen Deputy in Clark County. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye, Nay – None. Motion passed.

Motion made by Mr. Carruthers to adjourn at 8:47pm. 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