

# Village of Harveysburg

## Village Council

September 26, 2022 – 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

### Village Staff Present:

- Chase Kirby – Village Solicitor
- Richard Pottenger – Police Chief
- Mary Wilkie – Fiscal Officer

### Visitors / Guests:

- Debbie York – Harveysburg Resident
- Alma Plummer – Historical Society
- Charles Camp – Harveysburg Resident
- Terry Poe – Harveysburg Resident
- Russ Wilson – Harveysburg Resident
- John Keiser – Potential Police Officer New Hire

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*This is a summary of the meeting of the Harveysburg Village Council held September 26, 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 7:00pm.

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

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

### Disposition of Previous Minutes:

Motion made by Mr. Tipton to approve September 12<sup>nd</sup> 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 states he has spoken with Mr. Ashcraft and believes we do not have to worry about losing money from the Renaissance Festival because there's still plenty of negotiating to do.

Mayor Verga states there's no progress on the issue with the Black School.

Mayor Verga states in the previous Council meeting and the Streets & Buildings meeting there was mention of properties that were overgrown. He asks if anything has been done since then. Mr. Nelson replies that nothing has been done at the properties. Mr. Tipton adds no new notices have been sent because the lots are the same ones who previously had notices sent in the spring.

Mr. Kirby states he can speak with Chief Pottenger about the procedure for notifying the property owners about taking care of the properties before the Village mows the property themselves and adds it onto taxes.

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

Mr. Tipton states in the Finance meeting there was a motion to approve \$300 to place a public notice with Cox Media to advertise for the search of a Village Consulting Engineer.

Motion made by Mr. Tipton to approve \$300 for public notice advertisement. Second by Mr. Nelson. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye/ Nay – None. Motion passed.

Mr. Tipton states he plans on having on the final paperwork ready for the next meeting now that this has been approved.

**Fiscal Officer:** Mrs. Wilkie

Mrs. Wilkie asks Mr. Kirby to read Resolution 2022-18: Accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the county Auditor.

Motion made by Mr. Bennett to declare Resolution 2022-18 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. Nelson to accept Resolution 2022-18. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye/ Nay – None. Motion passed.

Mrs. Wilkie states we appropriated \$9,000 in January for buildings. The Finance Committee would like to use \$3,600 of that for the installation of the LED lights in the gym. Mockbee would receive \$3,200 and \$400 would be to rent a lift.

Motion made by Mr. Nelson to accept \$3,200 for light installation and \$400 for lift rental. Second by Mr. Tipton. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye/ Nay – None. Motion passed.

Mrs. Wilkie states we received a second bid on the storm sewer that needs repaired at the end of Main Street. Devon Dawson has stated he will supply the pipe and dig for \$2,000. The Village would supply the gravel and dirt and dispose of any waste. The estimation is \$4,000 to complete the project.

Mrs. Wilkie states the only other bid we have received was \$6,500.

Motion made by Mr. Tipton to accept the allocation of \$4,000 to repair the storm sewer at the end of West Main Street. Second by Mr. Nelson. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye/ Nay – None. Motion passed.

Mrs. Wilkie states the appropriations were reviewed during the Finance Committee and we are using money from multiple funds for a total of \$11k to cover all the purchases. We will then be out of money on the road funds until December. She states the next big purchase is a salt box from Buckeye Power for \$5,200. The Finance Committee would like to recommend that to Council.

Motion made by Mr. Nelson to accept the purchase order for Buckeye Power of \$5,200 for a salt box. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye/ Nay – None. Motion passed.

Mrs. Wilkie states Phil Trovillo would like the front end of the plow truck ruggedized for \$2,000. The Finance Committee would like to recommend that to Council.

Motion made by Mr. Tipton to allocate \$2,000 to ruggedize the front end of the F-250 plow truck. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye/ Nay – None. Motion passed.

Mrs. Wilkie states the Basketball Warehouse will begin sometime in October. The restrooms upstairs and downstairs need to be cleaned. She would like to see if we can hire someone as a contracted employee to clean them for 2 hours every Monday and Friday for \$15/hr.

Mrs. Wilkie would like to recommend Joe Nelson come in an extra day to power wash the gym bleachers before the start of the Basketball Warehouse.

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

**Village Attorney Report:** Chase Kirby

Mr. Kirby states he has researched what would happen if Brimstone LLC were to detach from the Village. If that were to happen, he wants to be prepared on how to advise the Village.

Mr. Kirby states the Jordan Wright case has been settled. A settlement agreement will be circulated, and it will be closed in approximately 60 days.

**Guests:**

NONE

**Old Business:**

Mr. Bennett asks if we are doing anything to replace the broken backboard on the basketball court outside. Mr. Tipton states that it has been spoken about, but no action has been taken yet.

Mr. Tipton shows the new iWorQ system for zoning on the screen. He shows how it works and all the information it shows.

**New Business:**

Mr. Tipton asks if the Warfel annexation has ever been officially stopped. Mr. Kirby states it is no longer happening, but he is unsure if Mr. Warfel has ever signed anything to officially stop the process.

Mr. Tipton stated he received an email from ODOT where they stated Mr. Warfel was asking if he could have entrances to his property off SR 73. ODOT has told him no he cannot enter the front property from SR 73. Mr. Tipton states that in a previous meeting he mentioned that Mr. Warfel had asked about putting a driveway to access the property adjacent to SR 73. He may have to do an easement across the front property to get access to the second parcel. Mr. Warfel has appealed to ODOT to reconsider their decision about allowing access from SR 73.

Mr. Tipton asks Mr. Kirby if he has had a chance to work on vacating AnnCam Dr. Mr. Kirby states that he has not worked on it because he has not received the legal description.

Mr. Tipton states he received an invitation from ChoiceOne Engineering for a charity night November 2<sup>nd</sup> and up to 3 people from local government are invited to attend. Donations are asked for the Down Syndrome Association of Greater Cincinnati or the Sweet Cheeks Diaper Bank.

**Police:** Chief Pottenger

Chief Pottenger introduces potential new hire John Keiser. He has previous police officer experience and if he is hired before October 7<sup>th</sup> then Chief Pottenger can get him into OPOTA for updated training hours. Mr. Keiser is interested in holding his commission as an auxiliary officer while working for Harveysburg PD. Mr. Keiser takes a moment to introduce himself and provide some background.

Motion made by Mr. Tipton to hire John Keiser as an auxiliary police officer working 20 hours per month for Harveysburg Police Department. Second by Juniel. Vote – Nelson, Bennett, Herberth, Tipton, Juniel – Aye/ Nay – None. Motion passed.

Mr. Juniel reads the Oath of Office to swear in new officer John Keiser.

Chief Pottenger begins his report:

- Vehicles running well and oil changes to be scheduled at the end of the month.
- Two possible new hires being considered.
- We will probably be losing Officer Harding to Xenia PD or ODNR.
- Traffic at the Renaissance Festival has been running better than it ever has before. There were only a few backups this weekend due to a large event they were holding.
- Lock out kits were purchased. One was given to the road department and the other 3 have been placed in the vehicles. When he purchased them, he was asked if he wanted the case. He ordered one case to see what it was like, and it is his suggestion that we order the canvas cases for the additional kits to hold all the parts. They run between \$35-39.
- Still citing speeds over 70mph on SR 73.
- We had a DUI yesterday coming out of the Renaissance Festival. They attempted to stop him inside the festival, but he refused to stop. When he reached the road, they were able to get him stopped.
- Jordan Wright is still on leave. With the case being settled we may have a resolution on his employment soon.
- He states if we can find out how much it would be to replace the backboard on the basketball court, that there is money left from the youth programs for the fishing derby that we can use to replace the backboard. Mr. Tipton states he believes Phil Trovillo is planning on making the backboard out of 1" plywood.

**Community Relations:** Ms. Herberth

The free vinyl signs that we were hoping to get will not be happening. Lebanon Public Library was unable to get the machine to work to make them. She is checking with someone else that can make them for a reasonable price.

**Committees:**

Community Relations – Meeting 10/3 at 7:30pm  
Finance - Meeting 10/24 at 6:30pm  
Grants - None  
Planning and Zoning – 9/28 at 6:30pm  
Records - Meeting 10/20 after court  
Trees - None

Motion made by Mr. Nelson to adjourn at 8:01pm. Second by Mr. Juniell. 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

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Randy Carruthers

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Pat Bennett

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Charles Juniel

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Jim Nelson