

Village of Harveysburg

Village Council

October 9, 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
- Heather Matuszak – Clerk of Council

Visitors / Guests:

- Kevin Brewer – Harveysburg Resident
- Christian Foster – Harveysburg Resident

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*This is a summary of the meeting of the Harveysburg Village Council held October 9, 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

Disposition of Previous Minutes:

Motion made by Mr. Tipton to approve the September 25th minutes with the correction of Meyer to Meier. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye/ Nay – None. Motion passed.

Mayors Report:

Mayor Verga asks Council if there is an update on the possibility of a reduced permit fee for Kevin Brewer. Mr. Tipton states they have not received an opinion. The Council agrees that they like the idea of reducing Mr. Brewer’s fee. However, they do not believe it is acceptable that the Village pick and Council Minutes – October 9, 2023

choose who gets a reduced rate when there have been many others who have purchased permits using the old fee schedule.

Guest Kevin Brewer would like to thank the fire department and life squad for their life-saving efforts for his 97-year-old mother. He explains he had the chimney removed from her roof by a company and apparently, they blocked her chimney with debris. With the colder weather, she turned on her furnace and the debris caused carbon monoxide and smoke to fill her home. She was able to crawl outside to her vehicle and drive to her other son's home where they called for help. She suffered a mild heart attack, but she was able to return home today.

Mr. Brewer gives a small update that his attorney has received all the signatures needed to purchase the lot next to his property so he should be able to close soon. He plans to clean that lot up along with the debris from the new roof. He states that anything the Council would agree on to possibly lower the permit fee would be much appreciated.

Motion made by Mr. Bennett to reduce the permit fees for Kevin Brewer. There is no second. Motion off table.

Mayor Verga states that he is continuing to investigate the complaint filed by Donna Matthews. Mr. Tipton reports that he asked Donna to fill out a report after the last meeting. She stated she could not fill it out on her own due to her ADD. Mr. Tipton wrote it for her using her verbiage and she signed and dated the complaint. The complaint was passed on to the Village Solicitor. The Council and Village have fulfilled their obligations in the matter, and it is up to Donna to take any further action.

President of Council Report:

NONE

Fiscal Officer:

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

Village Attorney Report:

NONE

Guests:

Christian Foster addresses the Council about the lack of communication between the Village and the community. He states information is not readily available to the public. He states when he has asked where to find certain information that he is told to look at the website, but when he has looked it is not there. In other circumstances, he has been told by people that they are not sure where to get certain information. It is his opinion that the Village should be making information readily available to the public

in an easily accessible and clear manner. He asks if the minutes are current on the website. Mr. Tipton brings up the Harveysburg webpage and shows the council minutes are current through August. The only meeting not added was September 11th. Mr. Kirby explains that not all information is readily available online and there are things that will need a public records request to obtain.

Old Business:

Mr. Tipton reports that the community service was completed by one of our residents. The proper letters were written and sent to Warren County for the proper acknowledgement of his work.

Mr. Tipton states they received a complaint at 244 South Street of tree debris piled up. It has been addressed with the owner and they are trying to get it cleaned up.

Mr. Tipton reports there is a streetlight outage on South Street due to tree trimming. Also, the installation of a streetlight at North and Lorraine is set to happen this month.

Mr. Tipton reports that the sewer project is at Grant Street and almost complete. Once they finish installing the new storm sewer then they will move onto paving the streets.

Mr. Tipton reports that we are in the process of obtaining a search warrant for the old high school so that we can enter for an official inspection.

New Business:

Mr. Tipton states there have been numerous complaints surrounding the Renaissance Festival. There have been traffic build-ups, traffic accidents, spotty or zero internet/cellphone service.

Mr. Bennett asks if there has been an update about the old hotel plans to the Planning Commission. Mr. Tipton reports that there was a large dumpster at the old hotel and looked like it was being cleaned out. The Village has received no update from the owner, so we are not aware of any plans for the building.

Mr. Nelson asks if there has been a decision on when leaf pickup will happen and a dumpster rental. Mr. Tipton reports he is still gathering quotes on dumpster rentals. So far Rumpke has the best price at \$325 for a 20-yard dumpster. He also states we are waiting for more leaves to fall before we decide on when the Village leaf pickup will happen.

Police:

Chief Pottenger begins his report:

He was unable to take the wrecked cruiser to the county garage to have it stripped because it was blocked in by one of the maintenance trucks.

He states the Renaissance Festival continues with a few minor problems that are mostly alcohol related.

He states that Halloween for the Village will be October 28th from 6-8pm and will be preceded by a party in the gym from 3-6pm. The party will have refreshments, snacks, pumpkin painting, and a costume contest.

He states there are 2 new applications in progress.

He reports Officer Luker resigned. His full-time department would not allow him to hold two badges.

He reports that traffic was heavy last weekend and they received help from OSP on Saturday. The Renaissance Festival shut down the entrance for a period on Saturday and Sunday to help with the traffic buildup. He states there was an increased amount of people in the area due to the Waynesville Fall Fest and the Hillclimb. He states there were multiple accidents over the weekend that seemed to be caused by a lack of attention.

He reports he completed the Workman's Comp class so the Village should receive a discount next year.

Mr. Tipton states during the Police Committee meeting they were discussing schedules. He states all the officers are tied up at the Renaissance Festival instead of patrolling through the Village. He states that citations are way down as well. He shows the patrol logs which show the officers at the Renaissance Festival far more than regular patrol. It was discussed that traffic on Main Street on Saturday was horrendous. There were people speeding through the Village and running stop signs.

Community Relations:

NONE

Committees:

- Community Relations – None
- Finance - 10/23 at 6:30pm
- Grants - None
- Planning and Zoning – 10/24 at 6:30pm
- Records - None
- Trees - None

Motion made by Mr. Tipton to enter executive session for the purpose of discussing pending court action between Brimstone LLC and the Village of Harveysburg. Second by Mr. Nelson. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye/ Nay – None. Motion passed.

Guests asked to exit the Council chambers. The Council invites Heather Matuszak to remain. The executive session begins at 7:50pm.

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

The executive session ends at 8:16pm. Council chambers opened for the public.

Mr. Tipton passes the proposed Admissions Tax to the Council members and states this is the last and final version of the Admissions Tax. He brings attention to a blue highlighted area on page 4, where the Council will decide the admission tax rate.

Motion made by Mr. Tipton to authorize Chase Kirby, Village Solicitor, to make a proposal for an admissions tax rate of 3% to resolve the court action with attorney Richard Carr of Brimstone LLC. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passes.

Mr. Kirby reads Ordinance 2023-05: Admissions Tax in title only. This will establish a 3% admissions tax rate on places of entertainment as defined within the ordinance. This is the first reading.

Mr. Tipton would like to add, if we pass the admission tax then each 1% will be worth approximately \$50k-60k annually. In the first year, this could bring in \$150k-180k to the Village.

Mr. Kirby directs the Council to page 3 section 101.02 Purpose of Admissions Tax, he would like the Council to come up with what the vision of the future looks like with these funds so that we can share that with the community.

Mr. Tipton quickly states the continued modernization of the storm sewer system, resurfacing/recontouring of Main Street, and other road maintenance throughout the Village such as chip and seal vs crack seal.

Ms. Herberth asks if they will still be able to hold wedding parties without being taxed. Mr. Kirby affirms that they will not have an admissions tax on that. The exemptions to the admissions tax are pointed out in the document such as religious purposes, charitable events, or military to name a few. There is further description in the document for all exemptions.

Mr. Tipton asks everyone to spread the word that it is not in the best interest to dissolve the Village. Give the Village another year or two to show the community what can be accomplished. The money brought in from the admissions tax will exceed our levies. Mr. Nelson adds that in the long term we might be able to lower the levies.

Ms. Herberth asks if we go to the township, will they raise taxes on us? Mr. Tipton states they most likely will. Mr. Nelson adds that there will be higher permit fees associated with dissolving into the township and will have zoning enforcement as well.

Motion made by Mr. Nelson to adjourn at 8:28pm. 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