

**VILLAGE OF HEBRON  
COUNCIL MEETING MINUTES  
September 27, 2023  
6:00 PM**

This meeting was held both remotely and in person.

**CALL TO ORDER**

Council President Dr. Valerie Mockus called the meeting to order at 6:00pm

**PLEDGE OF ALLEGIANCE**

Dr. Mockus asked everyone to join in the Pledge of Allegiance.

**ROLL CALL**

Councilmembers in attendance: Council President Dr. Valerie Mockus, Councilmembers Stacy Stoner, Annelle Porter, Kenney Nauer, Paige Seymour and Randy Wolf.

Others in attendance: Village Fiscal Officer/Interim Administrator Deborah Morgan, Economic & Community Development Director Brittany Misner, Utility Billing Coordinator Brigette Rose, Village Solicitor Wesley K. Untied, and Attorney Jarod Rose.

Others in attending remotely: Public Works Superintendent Cliff Ward Jr.

Visitors in attendance: Clifford Mason, Andrea Chapman, Jeff Johnstone

**ACKNOWLEDGE VISITORS**

Dr. Mockus acknowledged the visitors in attendance.

**NOTICE: MEETING DOCUMENTATION**

Dr. Mockus said the minutes for this meeting are being recorded and a written summary will be available by request at a later date.

**APPROVAL OF MINUTES**

September 13, 2023 Council Meeting

Mr. Wolf moved to approve the September 13, 2023 Council Meeting minutes, seconded by Mrs. Porter. A roll call vote was taken with all Councilmembers present voting in favor except Mrs. Stoner who abstained.

**DEPARTMENT HEAD REPORT-UTILITY BILLING**

Utility Billing Coordinator Brigette Rose said she distributed her report to Council and asked if they had any questions. There were no questions about her report. Mrs. Morgan said she is very impressed with Mrs. Rose as she is doing such a great job, she often forgets she is still new to the position.

**VISITOR COMMENTS**

None

**EXECUTIVE SESSION**

Mrs. Stoner moved to go into Executive Session at 6:04pm to consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, pursuant to Ohio Revised Code 121.22(G)(8)(1), second by Mrs. Porter. A roll call vote was taken with all councilmembers present voting in favor. Dr. Mockus invited Mrs. Misner to join the Executive Session.

Mrs. Stoner moved to reconvene from Executive Session at 6:26pm, seconded by Mrs. Seymour. A roll call vote was taken with all councilmembers present voting in favor.

## LEGISLATION

**ORDINANCE 21-23-** AN ORDINANCE TO ACCEPT THE APPLICATION FOR AN EXPEDITED TYPE II ANNEXATION FOR CERTAIN PROPERTY INTO THE VILLAGE OF HEBRON, OHIO FROM UNION TOWNSHIP, PURSUANT TO THE PETITION FILED BY CONNIE KLEMA, AGENT FOR PETITIONER-**Third Reading**

Mrs. Seymour moved to adopt Ordinance 21-23 as presented, seconded by Mr. Wolf. A roll call vote was taken with all councilmembers present voting in favor.

**ORDINANCE 22-23-** AN ORDINANCE DECLARING CERTAIN MUNICIPAL PROPERTY SURPLUS, NOT NEEDED FOR PUBLIC USE, OBSOLETE OR UNFIT FOR USE, AND AUTHORIZING THE DISPOSITION OF SAID PROPERTY VIA INTERNET AUCTION (PER ORC. §721.15(A))-**Third Reading**

Mrs. Porter moved to adopt Ordinance 22-23 as presented, seconded by Mrs. Stoner. A roll call vote was taken with all councilmembers present voting in favor.

**RESOLUTION 23-10-** A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR-**Second Reading**

Dr. Mockus said this resolution would need to be passed tonight in order to meet Licking County's timeline. Mrs. Porter moved to suspend the readings of Resolution 23-10, seconded by Mr. Wolf. A roll call vote was taken with all councilmembers present voting in favor.

Mrs. Stoner moved to adopt Resolution 23-10 as presented, seconded by Mr. Wolf. A roll call vote was taken with all councilmembers present voting in favor.

**ORDINANCE 23-23-** AN ORDINANCE TO AUTHORIZE THE EMPLOYMENT AND APPOINTMENT OF LEGAL COUNSEL FOR THE VILLAGE OF HEBRON- **Second Reading**

**ORDINANCE 24-23-** AN ORDINANCE AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO A CONTRACT WITH V3 COMPANIES LTD, WITHOUT ADVERTISING, FOR CERTAIN PROFESSIONAL ENGINEERING CONSULTING SERVICES FOR THE VILLAGE OF HEBRON, SPECIFICALLY, THE ROADWAY AND STORM WATER COLLECTION SYSTEM, WATER RECLAMATION UTILITY, AND WATER UTILITY ENGINEERING- **Second Reading**

**ORDINANCE 25-23-** AN ORDINANCE AUTHORIZING THE ADMINISTRATOR AND FISCAL OFFICER TO ENTER INTO A CONTRACT WITH FISHEL, DOWNEY, ALBRECHT & RIEPENHOFF LLP, WITHOUT ADVERTISING, FOR CERTAIN LEGAL SERVICES FOR THE VILLAGE OF HEBRON, SPECIFICALLY FOR PLANNING & ZONING AND EMPLOYMENT MATTERS- **Second Reading**

**ORDINANCE 26-23-** AN ORDINANCE AMENDING THE CODIFIED CODE SECTION OF THE ZONING DISTRICT UNDER TITLE 3 CHAPTER 1137 OF THE VILLAGE OF HEBRON ZONING CODE-**First Reading**

**RESOLUTION 23-11** - A RESOLUTION NOTIFYING THE LICKING COUNTY AUDITOR AND LICKING COUNTY BUDGET COMMISSION OF THE TERMINATION OF DUPLICATIVE FIRE LEVIES IMPOSED ON THE VILLAGE OF HEBRON-**First Reading**

Village Solicitor Wesley K. Untied said a similar resolution was previously addressed by this Council but after further review, the County has requested certain language be included. Attorney Jarod Rose said this legislation should be expedited in order to meet the County's deadline.

Mr. Wolf moved to suspend the readings of Resolution 23-11, seconded by Mrs. Porter. A roll call vote was taken with all councilmembers present voting in favor.

Mrs. Seymour moved to adopt Resolution 23-11 as presented, seconded by Mrs. Stoner. A roll call vote was taken with all councilmembers present voting in favor.

## **COUNCIL ACTION ITEMS**

### Planning & Zoning Recommendation

Mrs. Morgan said this is regarding a Planned Residential Development request from Pulte Group for the development of Lakewood Meadows. She said it went through the Planning & Zoning Board and was approved, so it has moved to Council to schedule a Public Hearing. She said the recommendation is to set the date for November 8, 2023 in conjunction with the regularly scheduled Council Meeting. Mr. Untied said Village of Hebron zoning regulations state the Public Hearing must be set within 45 days of the date Council receives the recommendation from the Planning & Zoning Meeting Board.

Economic & Community Development Director Brittany Misner said at the September 11, 2023 Planning & Zoning Meeting, the Planning & Zoning Board approved forwarding a recommendation to Village Council to rezone the requested parcels. She said Council will need to schedule a Public Hearing and the documentation will be forwarded to them for review. She said this is just to rezone the parcels, and then we will move forward with the process for a PRD, which will include meetings and final plans for consideration.

Mrs. Seymour moved to schedule a Public Hearing to consider a recommendation from the Village of Hebron Planning & Zoning Board on November 8, 2023 at 5:30pm, seconded by Mr. Wolf . A roll call vote was taken with all councilmembers present voting in favor.

### Trick or Treat

Dr. Mockus said this item was discussed at a previous Council Meeting and a resident recommended Council consider holding the event on a Saturday afternoon during daylight hours. The discussion continued at the Combined Council Committees Meeting last week. Mrs. Morgan said since the Combined Council Committees Meeting, the Village of Buckeye Lake responded and said they are holding their event on October 26<sup>th</sup>. She said other communities have also confirmed the date of October 26<sup>th</sup> and most have set a rule to hold the event each year on the Thursday before Halloween, unless Halloween falls on a Thursday. Mrs. Seymour said she likes the idea of having the event on a Saturday during daylight hours but she feels it could be dangerous having the event on a day that no one else is having it, as the Village may get bombarded by people from other communities. Mrs. Porter agreed. Dr. Mockus said she spoke with folks who were concerned about it overlapping with the Ohio State game and children's sports.

Mrs. Porter moved to hold Trick or Treat in the Village of Hebron on Thursday, October 26, 2023 from 5:30-7pm, seconded by Mrs. Stoner. A roll call vote was taken with all councilmembers present voting in favor.

### Golf Carts

Mrs. Morgan said at the Combined Council Committees Meeting, she asked members of Council to send her an email with their suggestions of what they would like to see included, or not included, in the proposed legislation and then it will be discussed at the next Combined Council Committees Meeting. She said so far, she has received emails from two Councilmembers. She said once the remaining members have had an opportunity to email her, she will forward the suggestions to Attorney Rose so that he can draft the proposed legislation and it can be reviewed at a future meeting.

### Parks Request

Mrs. Morgan said at the Combined Council Committees Meeting, Brandon Salyer from the Lakewood Youth Baseball Association did a presentation concerning their request to partner with Legends, a professional organization out of Heath. She said the TJ Evans Foundation was contacted and a meeting was held where Mr. Salyer gave his presentation to them as well. Mrs. Morgan said Mrs. Roberts of the TJ Evans Foundation responded and said she has not been able to make contact with all members of the board to share the presentation, but in the meantime, she does see the need for an agreement between the LYBA, Legends, the Village of Hebron and the TJ Evans Foundation. Mrs. Morgan said she contacted Mr. Salyer and told him we need to work through the process and it is too soon at this time for Council to make any decisions until we know what the TJ Evans Foundation would like to see. She said she is not sure there will be enough time to work out an agreement for this year, but she told Mr. Salyer the Village will continue to work with the TJ Evans

Foundation to try to come to some kind of agreement for next year. She said Mrs. Roberts will be in contact with the Village once the Board has had a chance to review the presentation link.

### Food Trucks

Dr. Mockus said previous discussion involved trying to determine if the Village is interested in trying to work out some type of schedule to allow food trucks. Mrs. Seymour said she likes the idea but does not want to negatively affect the local businesses, so she hopes we can try not to have the same type of foods very often so that there is a variety, and she supports starting out slow with one food truck a week. Mrs. Porter agreed she would be supportive of one day a week. Dr. Mockus said she has seen comments on social media and she has given it some thought. She said when people associate a place with food, shopping, etc, it actually brings more people to that area. She said she feels the Village should meet with the business owners who are concerned and discuss it with them, as we have a lot of businesses in the Industrial Park, etc and if we could get them in the habit of coming to Hebron for lunch, that would be great; but she also wants the current local businesses to feel supported. Mr. Ward said for the foreseeable future, he only plans to have food trucks in the Village one day a week. He said he agrees with Dr. Mockus about building a relationship with the local businesses and soliciting them as well better our community, our options and our variety. Mrs. Porter said she feels it would be very generous of the Village to allow food trucks without collecting income tax for the work they will be doing in the Village, especially when considering any police involvement, etc that the Village may need to provide. Dr. Mockus said the Village does not have an ordinance that restricts food trucks so the question is more about if we want to do any kind of promotion or assistance. Dr. Mockus said some food service companies use food trucks to determine feasibility for establishing a restaurant in certain areas. Mrs. Misner agreed. Mrs. Stoner said she likes the options and variety that food trucks can provide, and the hope that it will bring people into town. Dr. Mockus asked if Council wants to consider having the food trucks for a certain number of weeks to see how it goes. Mr. Ward said some food trucks shut down during the winter months so this may be a good trial period to determine how successful it might be, and if Council deems it to be a success, we can pick it back up in the spring. Dr. Mockus said the Village could relay the message that if it is determined to be successful and the plan is to continue it in the spring, these businesses may have to give a portion of their proceeds to the Village. She said the Village could develop a permitting process that includes such language.

Mrs. Seymour moved to invite one food truck a week through November on Village property, seconded by Mrs. Stoner. Dr. Mockus asked what support the Village needs from Council Administratively for this. She said she does not want to launch this without talking to businesses that exist in Hebron, and she wants to do what needs to be done to make this venture successful. Mrs. Misner said she feels it is extremely important that the local businesses do not see this as a threat, but an opportunity to bring more options and people into the Village. She said promoting the food trucks as well as the existing businesses can easily be done through great partnerships and communication. Mrs. Seymour said it would be good to collect feedback from the local businesses during this time to see how it affects their business. A roll call vote was taken with all councilmembers present voting in favor except Mrs. Porter who voted against.

### Warrant Study

Mrs. Morgan said at the Combined Council Committees Meeting, we discussed a warrant study that was done to determine if a traffic light is needed at 8<sup>th</sup> and Main Streets. She said after the meeting, she spoke with V3 Companies, Ltd who contacted ODOT on the Village's behalf. She said ODOT has no issue with making the light a flashing light but it would have to be converted to a 12-inch head and the permit would also have to be updated to declare it is a flasher versus a signal. Mr. Nauer asked if a new traffic light would need to be installed. Mr. Wolf asked if a new study would need to be done to make the light flashing. Mrs. Morgan said a new study would not need to be completed to make the light flashing even though the results of the warrant study stated the signal is not warranted. Mrs. Morgan said she will check to see who would pay for the 12-inch head and the cost for it. Dr. Mockus suggested Councilmembers talk to residents who live in the area, as the residents she spoke to do not want the light to go away. She said she witnessed vehicles running the light and

speeding up to get through the light. Mrs. Seymour said she is concerned with removing the light when it is unknown what will happen with the previous elementary school building. Mrs. Misner said the building will go up for public auction at the end of this year or at the beginning of next year. Dr. Mockus said this would allow time for Mrs. Morgan to gather more information and to see what will come of the vacant building.

#### Stormwater Week

Mrs. Morgan said at the Combined Council Committees Meeting, Linda Nicodemus from Licking County Soil and Water came to ask Council to consider moving to declare the first week in October as Stormwater Awareness Week.

Mrs. Seymour moved to direct the Village Solicitor to draft a resolution declaring the first week of October each year as Stormwater Awareness Week, seconded by Mr. Wolf. A roll call vote was taken with all councilmembers present voting in favor.

#### Snow Fence

Mrs. Morgan said Mr. Ward reviewed the right of way of the area along S. High Street and found that there is room to place a fence along that area. She said the area measured 550 ft. She said Mr. Ward looked into various colors for aesthetic reasons and found they do offer black fencing at a cost of approximately \$500 including poles and all material.

Clifford Mason, 113 Dennison Street, said suggested installing a 6' high chain link fence. He said he feels it will do a better job and look much more attractive, and it will last much longer. He said it would be more expensive but suggested partnering with the property owner and the owner of the car wash to help cover the cost. Mrs. Morgan agreed a snow fence does sag over time. There was some discussion about fence stability, upkeep and the amount of time that the fence would be needed. Mr. Ward said the snow fence poles are meant to be placed 5 feet apart. Mrs. Porter said it is important to place them far enough down into the ground to give the fence enough stability. Mr. Ward said if Council approves the fence tonight, it would be installed after harvest.

Mr. Wolf moved to approve the purchase and installation of a snow fence along S. High Street, seconded by Mr. Nauer. A roll call vote was taken with all councilmembers present voting in favor.

#### **ADMINISTRATOR'S REPORT**

Mrs. Morgan said a Finance Committee Meetings have been scheduled to review the 2024 budget and appropriations. She said once completed, she will look for the Finance Committee to make a recommendation to Council to move to draft the legislation.

Mrs. Morgan said at the last meeting, she reported that the Village was awarded Community Block Grant Funding. She said this is good news for the Village and one of the things that pushed the application to the forefront was pictures and news articles that were supplied to Adrienne Eskins to be added to the application. These items highlighted the need for the funding. She said the Village will apply for the next round as well, in the hopes to receive funding for two additional culverts. She said this, combined with the Army Corps of Engineers' agreement to perform the necessary studies to determine flood mitigation needs are both huge steps in helping the Village make significant progress to fix flooding issues. Mr. Nauer suggested making the new culverts double the current size. Mrs. Morgan said the Ohio Department of Development put out a press release about Licking County receiving \$500,000 in federal funding for Hebron. She said this is the first time since 2012 that Licking County has received CDBG funds.

#### **COUNCILMEMBER'S REPORTS**

Mr. Wolf said at a previous meeting, he mentioned a mile marker being covered and hidden from view. He said it has been uncovered and looks nice.

Mrs. Stoner said the walking path at Evans Park is very nice since it was recently paved. Mr. Wolf agreed but said there are areas that still need cleaned up. Mrs. Morgan said there are still items that need to be

completed. Mr. Ward said Dreams Excavating will be coming out to raise the concrete sidewalks two panels where the sidewalk meets the southeast corner of the walking path, and there are things they will be cleaning up. He said they plan to do this sometime this week or early next week, depending on the weather. Mr. Wolf said there are a couple shaky boards on the walking bridge. Mr. Ward said repairs will be made to all walking bridges in town within the next month or two.

Mrs. Porter thanked Mrs. Stoner for loaning her a copy of the Framework report. She said she found it very interesting and professionally done. She said the Comprehensive Plan pales in comparison. Mrs. Misner said the Comprehensive Plan is on her to-do list and she is meeting with Jim Lenner tomorrow to discuss a variety of ways to solicit feedback before bringing it to Council to accept or adopt it with those revisions.

Mrs. Porter wished Mayor Layton a speedy recovery as he went home ill and was not able to attend this meeting.

**MAYOR'S REPORT**

None

**VISITOR COMMENTS**

Andrea Chapman, 408 W. Main Street, asked what zoning is being changed via Ordinance 26-23. Mr. Untied said this ordinance deals with the specific uses identified under the M1 Manufacturing District. He said subsection C deals with warehousing and distribution, and warehousing also contemplates warehousing of information. He said we are seeing a lot of data centers being built in central Ohio and the Village is trying to be proactive and address that; adding data centers as a permitted use within the M1 Manufacturing classification.

**REVIEW OF EXPENSES**

Councilmembers acknowledged review of the expenses. There were no questions about the expenditures.

**MEETING/EVENT SCHEDULE**

- October 2, 2023- 6pm, Planning & Zoning Meeting, Council Chambers
- October 11, 2023- 6pm, Council Meeting, Council Chambers
- October 14, 2023- 8am-noon, Village Clean-Up, Village of Hebron
- October 17, 2023- Chipper Day, Village of Hebron
- October 18, 2023- 6pm, Combined Council Committees Meeting, Council Chambers
- October 25, 2023- 6pm, Council Meeting, Council Chambers

**ADJOURN**

Mr. Wolf moved to adjourn the meeting at 7:38pm, seconded by Mrs. Stoner. A roll call vote was taken with all councilmembers present voting in favor.

\_\_\_\_\_(on file)\_\_\_\_\_  
Mayor James Layton

Attest:

\_\_\_\_\_(on file)\_\_\_\_\_  
Deborah Morgan, Village Fiscal Officer