

**VILLAGE OF HEBRON  
COUNCIL MEETING MINUTES  
October 11, 2023  
6:00 PM**

This meeting was held both remotely and in person.

**CALL TO ORDER**

Mayor Layton called the meeting to order at 6:00pm

**PLEDGE OF ALLEGIANCE**

Mayor Layton 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: Mayor James Layton, Village Fiscal Officer/Interim Administrator Deborah Morgan, Village Solicitor Wesley K. Untied, Attorney Jarod Rose, Attorney David Mosher, and Clerk of Council/Administrative Assistant Christina Furbee.

Visitors in attendance: Andrea Chapman

Others attending remotely: Water Superintendent Jason Figgins

**ACKNOWLEDGE VISITORS**

Mayor Layton acknowledged the visitors in attendance.

**NOTICE: MEETING DOCUMENTATION**

Mayor Layton 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 20, 2023 Combined Council Committees Meeting

Mr. Wolf moved to approve the September 20, 2023 Combined Council Committees Meeting minutes, seconded by Dr. Mockus. A roll call vote was taken with all Councilmembers present voting in favor.

September 27, 2023 Council Meeting

Mrs. Porter moved to approve the September 27, 2023 Council Meeting minutes, seconded by Mrs. Seymour. A roll call vote was taken with all Councilmembers present voting in favor.

**DEPARTMENT HEAD REPORT-INCOME TAX**

Mayor Layton said Tax Administrator Mindy Kester was unable to attend this meeting but her report has been distributed to Council. He said the income tax revenue is ahead of revenue at this time last year.

**VISITOR COMMENTS**

None

**EXECUTIVE SESSION** To conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action, pursuant to Ohio Revised Code 121.22(G)(8)(3).

Dr. Mockus moved to move into Executive Session at 6:05pm to conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action, pursuant to Ohio Revised Code 121.22(G)(8)(3), seconded by Mrs. Stoner. A roll call vote was taken with all Councilmembers present voting in favor.

Mr. Wolf moved to reconvene from Executive Session at 6:42pm, seconded by Mrs. Stoner. A roll call vote was taken with all Councilmembers present voting in favor.

## **LEGISLATION**

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

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

### **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- Third Reading**

Mrs. Seymour moved to adopt Ordinance 24-23 as presented, seconded by Mr. Wolf. A roll call vote was taken with all Councilmembers present voting in favor.

### **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- Third Reading**

Mrs. Porter moved to adopt Ordinance 25-23 as presented, seconded by Mr. Wolf. A roll call vote was taken with all Councilmembers present voting in favor.

### **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-Second Reading**

## **COUNCIL ACTION ITEMS**

### September 2023 Bank Reconciliation

Dr. Mockus moved to acknowledge receipt and review of the September 2023 bank reconciliation, seconded by Mrs. Stoner. A roll call vote was taken with all Councilmembers present voting in favor.

### Well #7 Bid Award

Mayor Layton said two bids were received at the bid opening for the Well #7 project, and Moody's of Dayton was selected as they had the lowest and best bid. Mrs. Morgan said this bid is for the first part of the project and the second part of the project will need to be bid as well. Mrs. Seymour asked for the engineer's estimate for the second part of the project. Mrs. Morgan said the engineers estimate the second part of the project to be \$250,000. She said the 2024 budget appropriations will need to be amended for this. There was some discussion about differences in the bids.

Dr. Mockus moved to direct the Village Solicitor Wesley K. Untied to draft legislation to accept and award the Well #7 Drilling Project to Moody's of Dayton Inc. dba G.M. Baker & Son Co. for the lowest and best bid of \$510,608.00, seconded by Mr. Nauer. A roll call vote was taken with all Councilmembers present voting in favor.

### Comprehensive Plan Rollout

Mrs. Morgan said Economic & Community Development Director Brittany Misner wanted to ensure it is understood that the Village is offering scheduled feedback sessions to gain feedback from the community about the proposed Comprehensive Plan to help determine what the final project should look like. Mrs. Morgan said the proposed dates are:

November 2nd - 6:00-7:30pm

November 8th - 3:30-5pm

November 9th - 9:00-10:30am

November 14th - 6:00-7:30pm

November 22nd- 3:00-4:30pm specifically for the business community

Mrs. Morgan said Mrs. Misner is asking for a motion of support from Council to set these feedback session dates.

Dr. Mockus moved to approve the Comprehensive Plan feedback sessions schedule, seconded by Mr. Wolf. Dr. Mockus said she is excited about this as she feels it will complement the work that has been done and bring it all together. A roll call vote was taken with all Councilmembers present voting in favor.

### BRIC Funding Representative Designation

Mrs. Morgan reminded Council that the Village applied for BRIC funding for flood mitigation. She said she is very pleased to report that the Village received notice from the Ohio Emergency Management Agency that the Village will be awarded that funding. Mrs. Morgan said the total cost of the mitigation project that V3 Companies applied for is \$175,000. She said the BRIC Federal contribution is \$157,500 and the Village local contribution is \$17,500, which was included in the 2024 budget. She said this is another great step in the continuing efforts in flood mitigation in the Village of Hebron. She said they are requesting a motion from Council appointing the Mayor as the signing authority and point of contact for the grant paperwork.

Mrs. Seymour moved to authorize Mayor James Layton as the designated signatory and contact for BRIC funding documents moving forward, seconded by Dr. Mockus. Mr. Wolf asked if this will continue to the next Mayor after the first of year. Mrs. Morgan said the designation follows the office, not the specific person. A roll call vote was taken with all Councilmembers present voting in favor.

### 2024 Budget/Appropriations

Mrs. Morgan said she had a couple meetings with the Finance Committee to go over the 2024 budget and appropriations line by line for each department. She said she feels the meetings went well. She created a summary and distributed it to Council. She said the summary includes a couple changes in the Water and Sewer Departments for water well #7, and back up lift station items. There was some discussion about the lift station back up items.

Dr. Mockus said space was made available in the budget for a potential 5% raise for all staff. She said the Finance Committee seemed comfortable with that, as staff was given less of a pay increase at the height of Covid, and since then, inflation and the cost of insurance have gone up. She said the Police Department let go of their Clerk when Mayors' Court was moved to Licking County and now the Police Department is asking to put a part-time Clerk back in place. Mrs. Morgan said the Police Department is planning to discuss this at the next Combined Council Committees Meeting. Mr. Wolf said he did some research and found that the national average for employee raises is 4.9%. He said he feels if the Village wants to keep its employees, we need to give them more money. Mrs. Stoner thanked Mrs. Morgan for her work with the budget process. Mrs. Morgan said she appreciates the Finance Committee for going over the line items for two days. Mr. Nauer said some of

the line items looked high. He asked about the operating expenses for the Public Works Department. Mrs. Morgan said the Public Works operating expenses include paving and projects, etc. Mrs. Morgan asked Council to consider making a motion to draft the budget legislation, to allow time for three readings and meet Licking County's deadline.

Dr. Mockus moved to direct the Village Solicitor to draft legislation for the 2024 budget appropriations as presented by the Village Fiscal Officer, seconded by Mrs. Stoner. A roll call vote was taken with all Councilmembers present voting in favor.

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

Mrs. Morgan said Public Works Superintendent CJ Ward met with M.P. Dory and had them present a cost estimate to change the existing traffic light at Main & 8th Streets to flashing, and to include all wiring and equipment. She said the estimate was \$4500 and it would be the Village's responsibility to make the changes. She said a motion would be needed to apply to the Ohio Department of Transportation to turn the light to flashing. Mrs. Morgan said she was told that the light that will be installed will have the ability to be changed to a three-head light in the future if needed. Mr. Nauer said he would like to ensure that is how it is done.

Dr. Mockus said she feels two important considerations in making this decision are the will of the residents, and the uncertainty of the destiny of the elementary school property and building. She said she does not have a clear feel for the will of the people on this issue. She asked if anyone else had a good sense of what the area residents want. Mrs. Seymour noted that Mr. Mark Jones obtained signatures from residents who want the traffic signal removed. Dr. Mockus said one of the residents who signed the petition told her that she only signed the petition because Mr. Jones is a nice man and he wanted her to sign it, but she does not want the signal to go away.

Mrs. Porter said a flashing light is a step down from a full traffic signal, but if there were nothing there at all, maintaining traffic could be difficult. She said she anticipates once the traffic signal is taken out, another warrant study may be needed in the future to try to replace it.

Mr. Wolf moved to approve applying for a permit to change an existing traffic light at the intersection of Main Street and 8<sup>th</sup> Street to flashing, seconded by Mrs. Seymour. A roll call vote was taken with all Councilmembers present voting in favor.

Mrs. Morgan said the Ohio Department of Transportation has notified the Village that it will be going out to bid soon for the Main & High Street project. She said when ODOT projects get to this phase, they send the project details to their Central Office who creates their estimate of the cost of the project. She said their estimate was considerably higher than the engineer's estimate, and in discussions with ODOT and the engineers, they all agree that the central office's estimate is well over what the cost will be; however, the Central office's estimate is what is used when going out to bid and what is used when working with the local entity. She said ODOT's requirement is that the local entity provide their estimate prior to going out to bid; however, we do not have that full amount budgeted as the Village's estimated share is much lower and is based on the engineer's estimate. Therefore, ODOT is requesting that the Village apply for a State Infrastructure Bank Loan.

Mrs. Morgan said ODOT maintains a direct loan and bond financing program for the purpose of developing transportation facilities throughout Ohio. The State Infrastructure Bank is used as a method of funding highway, rail, transit, and other transportation facilities and projects which produce revenue to amortize debt while contributing to the connectivity of Ohio's transportation system. This program serves as a safety net for communities that have budgeted based on the engineers' estimate for a project and, in the event where ODOT's Central Office may estimate higher, this allows a project to continue, as a stop gap measure.

She said she requested that the Village provide its budgeted amount this year and a letter stating that any additional funds would be available next year when the new appropriations begin. ODOT stated they will not accept that, but will accept the State Infrastructure Bank Letter as the same, as the funds are their own and, in their mind, are guaranteed for the start of a project.

Mrs. Morgan requested a motion from Council to allow her to apply for this program to have in place prior to this project going out to bid.

She said if the bids come in lower than what our engineers have estimated, or at the same amount, there would be no need for this program. Both the representative from ODOT and the Village engineers are comfortable saying that it will stay within the current engineers' estimate. However, ODOT would like to have this in place to assure there are no surprises if the bid is higher.

She said the Village was granted other funding for this project but the majority of the funds will be coming from ODOT. She said the amount that ODOT wants us to apply for from the SIB program is the \$263,535 difference between the engineers' estimate and ODOT's estimate.

Mrs. Seymour moved to allow the Village Fiscal Officer to apply for a State Infrastructure Bank plan, seconded by Mr. Wolf. A roll call vote was taken with all Councilmembers present voting in favor except Mrs. Stoner and Dr. Mockus who voted against. Mayor Layton said the motion passed.

Mrs. Morgan said this meeting is her last Council Meeting as the Interim Village Administrator. She said when she discussed the possibility of stepping into the role with Mayor Layton a year ago, they discussed the idea of her stepping up to help the Village in the absence of an Administrator by filling that role until the Village could do a thorough search to fill the position. She said she was honored that Mayor Layton had confidence that she could assist and she wanted to do all that she could to help the Village during this time. At the time, she thought she would just be in place to make sure things run smoothly; however, the role became quite a bit more.

Mrs. Morgan said she feels she has accomplished a lot during her time in this role, as her first goal was to restore some morale back to the employees and heal some areas that needed some healing, and she feels she accomplished that. She realized there was more that could be done, such as staff restructuring for the utility departments, reevaluating and reorganizing job descriptions, bullying and harassment training for all staff, and performance evaluation training for supervisors.

She said during this time, a complete audit of the Village's utility billing system was also performed, and she worked with the Health Department and Mr. Ward to create a walking map for the Village.

Mrs. Morgan thanked Mayor Layton and Council for having faith in her to fill in during a crucial time for the Village. She thanked the entire staff and said she could not have been successful in filling in if it were not for the support and confidence she received from them. She said a special thanks goes out to Water Superintendent Jason Figgins, as he was a tremendous help and support during this time. She thanked Clerk of Council/Administrative Assistant Chris Furbee and said she is a very big support to her. She said Mrs. Furbee is a key role to this community and to the Administrator and she is sure that Mr. Chen will quickly see what an asset it is to have her in her position. Mrs. Morgan thanked Village Solicitor Wesley Untied, Attorney Jarod Rose, and Steven Kopechek, Mike Crane and Brian Coghlan of V3 Companies, as their support and willingness to answer any question was extremely helpful. She also thanked her family for their patience during this year while she covered two full time jobs. She said it was a pleasure and she wishes our new Administrator, Mr. Chen, well in the position and she has the utmost confidence that he will continue all of the momentum that the Village has built over the last year.

Mayor Layton said Mrs. Morgan stepped up and did the job well. He said he wanted to thank her personally, as he would not have made it through without her help.

### **COUNCILMEMBER'S REPORTS**

Councilmembers thanked Mrs. Morgan for her work as the Interim Village Administrator. Mrs. Seymour said the Village staff is amazing and anytime she needs anything, they are very helpful.

Dr. Mockus asked about a press release about a grant the Village received for a culvert on Sugar Street. Mrs. Morgan said the Village has discussed how that will be released. She said Licking County and the Community Development Block Grant (CDBG) will send out the press release. Mayor Layton said the BRIC funding is great and that information should be shared as well.

Dr. Mockus asked about a report of raw wire seen in a resident's yard. Mayor Layton said the information was sent to the West Licking Fire District. He said he did not get an answer from Mr. Doug Smith, so he sent the information to someone else at the Fire District.

Dr. Mockus asked if the food truck did well today. Mrs. Morgan said the original truck that was scheduled had a death in the family so another truck filled their place. She said there was some discussion over where the truck was parked, as a business owner was upset that it was not parked where he was told it would be.

Dr. Mockus asked about promoting local businesses as previously discussed. Mrs. Morgan said she had a conversation with Village Solicitor Untied, and he will be holding a counseling session about what we can and cannot do so that the Village does not cross any lines. Mayor Layton said it would be nice to have a Business Association again in Hebron. There was some discussion about the Village promoting local businesses.

Mrs. Porter said she does not know why a private company (such as a food truck) would be able to use public right-of-way for their business site. Mrs. Morgan said they got permission from the Masonic Lodge. She said going forward through November this year, the food trucks will be at the back of the corner lot. There was some discussion about the placement of food trucks while working in the Village. Mrs. Morgan noted that the owner of the food truck did not provide Mr. Ward with information yet about how well they did today while in the Village.

Dr. Mockus asked if there is an update on the agreement with Licking County for bulk water. Mayor Layton said the Village will be meeting with them on October 19<sup>th</sup>.

Dr. Mockus gave an update from Planning & Zoning. She said legislative language was brought forward and she anticipates hammering it out at the November meeting. She noted issues to be discussed at the meeting and invited any input.

Andrea Chapman, 408 E. Main St, said the Planning & Zoning minutes online are not current past the month of June. Mrs. Morgan said the Village is at the mercy of the transcriptionist. She said she wanted to talk to the zoning attorney about doing minutes as a synopsis in the same manner as the Council Meeting minutes. She said Economic & Community Development Director Brittany Misner discussed the issue with the zoning attorney, who said that would be acceptable and her Assistant will do the minutes, so they should be done much quicker going forward.

### **MAYOR'S REPORT**

Mayor Layton said he is done with his role at the end of the year. He thanked Mrs. Morgan for her help and said he thinks Hebron will have more opportunity than it has ever had with its current staff and the elected officials.

### **VISITOR COMMENTS**

None

**REVIEW OF EXPENSES**

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

**MEETING/EVENT SCHEDULE**

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

October 26, 2023-5:30-7pm, Trick or Treat, Village of Hebron

**ADJOURN**

Dr. Mockus moved to adjourn the meeting at 7:59pm, 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