

**VILLAGE OF HEBRON
SPECIAL COUNCIL MEETING MINUTES
NOVEMBER 2, 2022
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 Annelle Porter, Paige Seymour, Kenney Nauer, and Randy Wolf. Councilmember Stacy Stoner was excused from this meeting.

Others in attendance: Mayor James Layton, Village Solicitor Wesley K. Untied, Village Fiscal Officer Deborah Morgan, and Clerk of Council/Administrative Assistant Christina Furbee.

Visitors in attendance: Attorney Jarod Rose, Mike Crane, Mike McFarland, 1 other (unknown)

Remote Visitors: None

ACKNOWLEDGE VISITORS

Mayor Layton acknowledged the visitors in attendance and said there will be an opportunity to speak during the meeting if they wish.

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.

DISCUSSION ITEMS:

Waterline West Contract

Mike Crane of V3 Companies, Ltd. said O.R. Colan Associates, a consultant for Hebron, is obtaining easements for the Waterline West Project and will put together a letter to send to the appropriate parcel owners. Mr. Crane said we need to finalize what the Village will offer in terms of rates, discounts, etc. Mayor Layton said the Village is also working on changing the annexation requirement language in the proposed project agreement. There was some discussion about annexations, easements and tap fees. Mayor Layton said these items can be negotiated. Mr. Crane said property acquisition is not permitted to be paid for as part of the loan, but the Village could offer to waive tap fees in lieu of paying for easements. He also suggested passing along savings on capacity fees while still under construction.

Mayor Layton asked Council to consider authorizing O.R. Colan Associates to negotiate tap fees and capacity fees for the Waterline West Project. There was some discussion about the geographical area and interested parcel owners. Mrs. Seymour asked if the discount is only being offered to those who did not already sign up as willing participants. Mr. Crane said though verbal agreements have been acquired, no signatures have been obtained yet and the discount would be to negotiate with those who want to sign up but do not want to grant an easement unless they receive a payment.

Mike McFarland, 133 Hamilton Avenue, asked if Union Township is supportive of this waterline extension. Mayor Layton said Union Township is aware of the project but they are not supportive of it. Mr. McFarland asked if a JEDD were to be created in that area, can it be annexed? Attorney Jared Rose said there was a lot of discussion about this a year ago and the consulting Attorney, who is an expert with JEDDs, could not give a clear answer. Mr. McFarland said he would hate to see the Village find itself in a situation where a waterline may be placed in an area where a JEDD is formed and the Village is not able to annex the property. He noted that water and wastewater is typically a municipality's tool to be able to gain annexation. He said maybe the Village should know that answer before moving forward with the project. Dr. Mockus said this would be predicated on whether someone joined the JEDD, as it would otherwise be a moot point. She asked why someone would want to be annexed if they are in the JEDD and receiving service from a different provider. Mrs. Seymour said participants in the JEDD would also have the option to be removed from the JEDD if they wish. Mrs. Morgan said the Village is working to remove the language in the project contract that requires annexation, which she feels implies that the Village is taking the risk of knowing that they may not be able to annex. Mr. Untied said Mr. McFarland's question asks if the Village is losing a competitive advantage by doing that, but the Body is saying that does not have a direct bearing on its decision.

Mr. McFarland said he is trying to see the benefit to Hebron of extending the water line, as he is concerned the Village may not receive enough revenue to cover the debt of the project, because of the competition in that area. Mayor Layton said companies in that area have already indicated they would be interested in receiving water if the water line is run. He said the negotiations will be a useful tool as well. He added the Village can run wastewater lines that direction as well. Mr. McFarland said the question is, is that what the residents want to do? Mayor Layton said this discussion has been on the table for a couple years now.

Mrs. Porter asked where the expenditure will come from. Mayor Layton said the payment will come from the EPA loan. He said the preliminary payment will go to ODOT and the EPA will take that back out of the loan. Mrs. Porter asked if the fund is stable. Mrs. Morgan said it is stable, by far, and it will be repaid. Mrs. Porter asked if it was refundable from ODOT? Mayor Layton said if the Village decides not to participate, our expense would come back to the Village. Mrs. Morgan said the project cost will be divided in half, as there is a 50% loan forgiveness, and the rest is a 0% interest loan.

Mayor Layton added that the Village is looking to make its contract with Licking County a long-term agreement. He said he is amazed at the potential new customers that would use over 1.5 Million gallons of water a day.

Mr. Wolf moved to allow the Village Waterline West project agreement to state that the Village is offering free taps to those who would allow an easement, and 50% off capacity fees for those who tap into the water lines west of the Village during the project construction, seconded by Dr. Mockus. A roll call vote was taken with all Councilmembers present voting in favor.

Interim Village Administrator

Mayor Layton said the Village is looking for a new Village Administrator. He said in the interim, Village Fiscal Officer Deborah Morgan has offered to fill in as the Interim Village Administrator. He said Mrs. Morgan knows what's going on in the Village and has the ability to do the work. He said he, Mrs. Morgan and Community Development Assistant Bonnie Miller are working to get caught up on current zoning issues, as there is a lot on the table at this time.

Mayor Layton said there are multiple people interested in buying the same pieces of property, at the same time. Mrs. Porter suggested the Village be cautious in understanding what this could mean for the Village, as she

feels if all of Hebron becomes developed, it would be a travesty for the community. Mayor Layton said the Village restructured its zoning manual and if we follow the requirements, we can ensure we get what we want.

Mrs. Porter asked if the Interim Village Administrator work will be in addition to Mrs. Morgan's current work as Village Fiscal Officer. Mayor Layton said she would be compensated for the additional work that she is already doing. Mrs. Morgan said she hopes Council will understand she cannot neglect her Fiscal Officer duties and will not be able to fulfill the Interim Village Administrator position as if it were her only job. She said she hopes this will allow Council time to search for a fulltime Village Administrator and not feel rushed.

Executive Session

Dr. Mockus moved to meet in Executive Session at 6:41pm to consider the appointment, employment, promotion, or compensation of a public employee or official, seconded by Mrs. Porter. A roll call vote was taken with all Councilmembers present voting in favor.

Dr. Mockus moved to reconvene into regular session at 6:50pm, seconded by Mrs. Seymour. A roll call vote was taken with all Councilmembers present voting in favor.

Mrs. Seymour moved to appoint Deborah Morgan to the position of Interim Village Administrator at the same monthly rate as the previous Village Administrator until a fulltime Administrator is hired, seconded by Dr. Mockus. A roll call vote was taken with all Councilmembers present voting in favor.

ADJOURN

Mr. Wolf moved to adjourn the meeting at 6:52pm, seconded by Dr. Mockus. A roll call vote was taken with all councilmembers present voting in favor.

James Layton, Mayor

Attest:

Deborah Morgan, Village Fiscal Officer