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THE VILLAGE OF HEBRON

VILLAGE COUNCIL

PUBLIC HEARING

- - -

Wednesday Evening Session
August 24, 2022, 6:00 p.m.
Municipal Complex
934 Main Street
Hebron, Ohio 43025.

- - -

Council Members:

Valerie Mockus, Council President
Annelle Porter
Stacy Stoner
Paige Seymour
Kenny Nauer
Randy Wolf

Jim Layton, Mayor
John Trujillo, Village Administrator
Deborah Morgan, Fiscal Officer
Wes Untied, Esq.

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COURT REPORTER
(740) 403-3959

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1 WEDNESDAY EVENING SESSION

2 August 24, 2022.

3 - - -

4 MAYOR LAYTON: Will you join me in the
5 pledge.

6 (PLEDGE OF ALLEGIANCE.)

7 MAYOR LAYTON: Do the roll call,
8 please.

9 MS. FURBEE: Mr. Wolf?

10 MR. WOLF: Here.

11 MS. FURBEE: Ms. Stoner?

12 MS. STONER: Yes.

13 MS. FURBEE: Dr. Mockus?

14 DR. MOCKUS: Yes.

15 MS. FURBEE: Mr. Nauer?

16 MR. NAUER: Yes.

17 MS. FURBEE: Ms. Seymour?

18 MS. SEYMOUR: Yes.

19 MS. FURBEE: Ms. Porter?

20 MS. PORTER: Yes.

21 MAYOR LAYTON: There will be minutes of
22 the meeting. We are documenting the meeting and
23 there will be minutes of it, you can pick it up
24 here at city hall -- Village Hall whenever -- they
25 will be available in what? Four or five days?

1 I'll acknowledge the visitors. We have
2 two visitors tonight. I'll give you an opportunity
3 to speak later on.

4 I'm looking for the approval of the
5 minutes of July 20, 2022 combined Council
6 committees meeting minutes. I'm looking for a
7 motion to approve those minutes and a second.

8 DR. MOCKUS: It still has that same
9 typo in it.

10 MS. FURBEE: (Inaudible.)

11 DR. MOCKUS: Okay.

12 MS. SEYMOUR: So it's just 20th.

13 MAYOR LAYTON: Just the July 20, 2022.

14 MS. SEYMOUR: Motion to approve
15 July 20, 2022 combined Council committee meeting
16 minutes.

17 MAYOR LAYTON: Ms. Seymour made the
18 motion. Do I have a second?

19 MR. WOLF: I'll second.

20 MAYOR LAYTON: Mr. Wolf made the
21 second. Roll call.

22 MS. FURBEE: Mr. Nauer?

23 MR. NAUER: Yes.

24 MS. FURBEE: Ms. Seymour?

25 MS. SEYMOUR: Yes.

1 MS. FURBEE: Dr. Mockus?

2 DR. MOCKUS: Abstain.

3 MS. FURBEE: Ms. Stoner?

4 MS. STONER: Yes.

5 MS. FURBEE: Mr. Wolf?

6 MR. WOLF: Yes.

7 MS. FURBEE: Ms. Porter?

8 MS. PORTER: Yes.

9 (MOTION APPROVED.)

10 MAYOR LAYTON: Motion to approve the
11 July 27, 2022 Council meeting minutes?

12 MR. WOLF: I move to approve the
13 July 27, 2022, Council meeting minutes.

14 MAYOR LAYTON: Mr. Wolf made the
15 motion. Is there a second?

16 MS. SEYMOUR: Second.

17 MAYOR LAYTON: Ms. Seymour. Is there
18 any conversation about it? I should have asked
19 that for the first group, but I assume there isn't
20 an issue since nobody brought it to my attention.

21 Visitor comments.

22 MS. FURBEE: We need --

23 MAYOR LAYTON: Go ahead and do roll
24 call. I'm sorry. I'm getting ahead of myself.

25 MS. FURBEE: Dr. Mockus?

1 DR. MOCKUS: Abstain.

2 MS. FURBEE: Ms. Stoner?

3 MS. STONER: Yes.

4 MS. FURBEE: Mr. Wolf?

5 MR. WOLF: Yes.

6 MS. FURBEE: Ms. Porter?

7 MS. PORTER: Yes.

8 MS. FURBEE: Ms. Seymour?

9 MS. SEYMOUR: Yes.

10 MS. FURBEE: Mr. Nauer?

11 MR. NAUER: Yes.

12 (MOTION APPROVED.)

13 MAYOR LAYTON: Visitor comments?

14 Nobody wants to talk?

15 Ordinance 15-22, an ordinance to accept
16 the application for an expedited Type II annexation
17 for certain property into the Village of Hebron,
18 Ohio, from Union Township, pursuant to the petition
19 filed by Connie Klema, agent for the petitioner,
20 second reading. We'll hold that until the third
21 reading.

22 Ordinance 17-22, an ordinance approving
23 the project involving the intersection of US 40,
24 Main Street, and High Street, identified as PID NO.
25 109934, LIC CR 79 00.00. That's the first reading

1 of that.

2 Council action items -- I'm sorry.

3 Ms. Mockus, is there a reason you abstained on the
4 minutes? Do you have an issue with them?

5 DR. MOCKUS: Yeah, I wasn't here.

6 MAYOR LAYTON: Oh, okay. That's right.
7 You were on vacation.

8 DR. MOCKUS: Yeah.

9 MAYOR LAYTON: All right. Well, my
10 brain's -- next up is the waterline west and we're
11 talking about setting up accounts so we can do
12 the -- get it into the budget and get the
13 accounting done.

14 And Deborah, would you like to address
15 that?

16 MS. MORGAN: Yes. I spoke at the last
17 committee meeting just concerning the need for
18 those funds as we move forward with the project so
19 if we do make the motion to direct legislation to
20 be drawn, then it would be timing by the end of the
21 year.

22 MAYOR LAYTON: The legislation done has
23 to be to make the accounts.

24 MS. MORGAN: Yes. But if we have a
25 motion to draw up the legislation, when they go to

1 three readings, it will be passed by the time the
2 budget rolls around.

3 MAYOR LAYTON: The legislation is to
4 develop the accounts.

5 MS. MORGAN: And then that way I can
6 comfortably budget the line items properly and fall
7 within the State's guidelines.

8 MAYOR LAYTON: Okay. So I'm looking
9 for a motion for that.

10 MS. MORGAN: And it would be two
11 capital project funds for water and then the debt
12 service fund for the waterline project.

13 MAYOR LAYTON: Annelle, did you have
14 your hand up?

15 MS. PORTER: I did.

16 MAYOR LAYTON: Ms. Porter made the
17 motion.

18 MR. WOLF: I'll second.

19 MAYOR LAYTON: Mr. Wolf made the
20 second.

21 DR. MOCKUS: So this creates the funds,
22 but it doesn't put money in them; is that correct?

23 MS. MORGAN: It creates the funds but
24 it does not -- the budget process, the
25 appropriations will. And actually, for the capital

1 project it really will not be funds coming from the
2 Village. It will be a receipt in from what we're
3 receiving as the from DEFA and then what we're
4 paying out. So it's kind of a memo posting.
5 Anything then above that, through the construction
6 of it, then would be through that as well.

7 I'm not sure what we're looking at out
8 of pocket going on into the next year, but we'll
9 get those numbers if there is. And then the debt
10 service is strictly the same as what I will just
11 budget for the payment and it will be a transfer
12 from the water fund into the capital, just like the
13 bond.

14 DR. MOCKUS: Okay. So in our -- I
15 think, it was our immediately last meeting, the
16 combined Council meeting, you brought up, and
17 rightly so, how we've been passing legislation and
18 then at the last minute making sounds for possibly
19 not continuing with the project although we spent
20 money. My question is, by creating these funds,
21 does that cost us anything?

22 MS. MORGAN: No, creating the funds
23 does not.

24 DR. MOCKUS: Okay.

25 MS. MORGAN: If we choose to -- if you

1 choose to create them and then the money is
2 budgeted --

3 DR. MOCKUS: That's the process that --

4 MS. MORGAN: If the project -- if for
5 some reason the project does not go forward,
6 then --

7 DR. MOCKUS: No harm, no foul.

8 MS. MORGAN: No.

9 DR. MOCKUS: Okay.

10 MS. MORGAN: And then if there is no
11 activity for a year on those funds, then I can
12 remove them at the end of next year.

13 DR. MOCKUS: All right. Thank you so
14 much.

15 MR. UNTIED: Deb, for clarification,
16 you would establish two accounts. One is, what did
17 you say, capital improvements?

18 MS. MORGAN: Yes. A capital project
19 fund from the water department. Well, it'd be a
20 water capital project fund and the other would be a
21 water debt service fund. And then I have the
22 numbers associated with those as well.

23 MR. UNTIED: Thank you.

24 MAYOR LAYTON: We have a date to have a
25 firm commitment.

1 MR. TRUJILLO: They're actually -- the
2 last word is they were on the EPA director's desk
3 for signature to verify the zero percent interest
4 loan at \$1.7 million and the \$1.7 million loan
5 forgiveness. So once that's signed, we'll receive
6 that documentation in and then that pretty much
7 insures that funding for that.

8 DR. MOCKUS: I'm sorry. \$1.7 million
9 on the loan and then forgiveness of that same \$1.7
10 million? So the other half of the project is
11 funded from?

12 MR. TRUJILLO: So it's a 1 percent --
13 or \$1.7 million zero percent loan. And then a \$1.7
14 million loan forgiveness.

15 MAYOR LAYTON: That's probably the way
16 to look at it is it's a \$3.4 million --

17 DR. MOCKUS: There we go.

18 MAYOR LAYTON: -- zero percent loan.

19 DR. MOCKUS: Gotcha.

20 MAYOR LAYTON: And they're going to
21 give us the forgiveness of \$1.7.

22 MR. TRUJILLO: Yeah. So that's
23 probably what the documentation says.

24 MAYOR LAYTON: His deal would have been
25 a better one because --

1 DR. MOCKUS: Right.

2 MAYOR LAYTON: Any other comments or
3 questions or concerns? Okay. We'll move right
4 along here. Stormwater utility.

5 MR. UNTIED: Wait. Don't we have a
6 motion?

7 MR. WOLF: Yes.

8 MAYOR LAYTON: I'm sorry.

9 MR. UNTIED: Did we get a second?

10 MAYOR LAYTON: You guys don't have to
11 beat me up on this. All right.

12 MS. FURBEE: One second.

13 MAYOR LAYTON: Come on, Chris.

14 MS. FURBEE: Dr. Mockus?

15 DR. MOCKUS: Yes.

16 MS. FURBEE: Ms. Stoner?

17 MS. STONER: Yes.

18 MS. FURBEE: Mr. Wolf?

19 MR. WOLF: Yes.

20 MS. FURBEE: Ms. Seymour?

21 MS. SEYMOUR: Yes.

22 MS. FURBEE: Mr. Nauer?

23 MR. NAUER: Yes.

24 MS. FURBEE: Ms. Porter?

25 MS. PORTER: Yes.

1 (MOTION APPROVED.)

2 MAYOR LAYTON: Stormwater utility, I
3 guess, we still -- bring us up to date on that,
4 John.

5 MR. TRUJILLO: This should be more of a
6 discussion item rather than a Council action item,
7 but we were discussing non-profits. And Brian
8 Coughlin put together a sheet, a spreadsheet
9 showing where our non-profits are and approximate
10 costs either to them or out of our budget if we
11 give them zero percent -- or zero liability there
12 rather than 50 percent.

13 MAYOR LAYTON: Well, what we have to do
14 now -- correct me if I'm wrong -- we have to charge
15 them and then give them a credit, correct?

16 MR. TRUJILLO: Well, that was what we
17 started discussing and then Council Lady Mockus had
18 asked about not charging anything. So this is the
19 information that kind of covers what the costs are
20 going to be and what, you know, ultimately we would
21 either lose out of the program or gain in the
22 program.

23 MAYOR LAYTON: How should we handle
24 that? Should it be that we do the charge and then
25 issue them a credit?

1 MR. UNTIED: Jarod Rose of our office
2 has been researching that issue and he asked me to
3 give you an update. He has not found either
4 permissive language or prohibitive language whether
5 by statute or case law addressing however you want
6 to caption a benefit for non-profit, whether it's
7 treated as a credit, a rebate, a reduced rate. He
8 doesn't have an answer on that yet.

9 And perhaps, Brian and you and I have a
10 chat about this and maybe we can follow up. I
11 don't know if in any of the municipalities that you
12 work with, whether you have seen that issue
13 addressed or not. If you want to speak to that in
14 a minute.

15 The second item is relative to that
16 same issue is truly identifying by what we mean as
17 non-profits. Are they non-profit corporations?
18 Are they not-for-profit unincorporated
19 associations? Are we tying it to tax exempt status
20 and/or tax exempt and non-profit? That's -- the
21 devil's in the detail and those things have to be
22 resolved even before we get to that. I think, we
23 need to find out is there a way to address the
24 objective of not charging or crediting or
25 offsetting or reduce rating those folks. And we

1 don't have an answer for that yet.

2 MR. TRUJILLO: Yeah. Brian included
3 non-profit properties as planned use codes.

4 MR. UNTIED: From the County Auditor?
5 I assume, because I noticed that.

6 Brian, is that correct?

7 MR. COUGHLIN: That is correct.

8 MR. UNTIED: Thank you. Have you seen
9 the issue addressed in any other communities?

10 MR. COUGHLIN: I cannot say that we
11 have. You know, there is a lot of different
12 perspectives to take with this and as you
13 indicated, you know, there is a lot of different
14 statuses.

15 In my opinion, this would be one of
16 those situations where the charge is applied to the
17 entity and then the entity has to submit
18 documentation that they still have whatever
19 non-profit status that they currently have. You
20 know, the challenge really is, you know, does this
21 go with the property or does it go with the tenant?
22 Sometimes the tenant is a non-profit. Sometimes
23 the property owner is a non-profit. Sometimes they
24 are one in the same and so there are certainly some
25 challenges unique to this particular situation and

1 we would need to come up with a policy that is
2 reasonable and consistent that we could apply, you
3 know, to any entity that is subject to tax-exempt
4 status or non-profit status or whatever the case
5 may be.

6 So we certainly wouldn't want -- we
7 would want to work through those issues and make
8 sure those are understood. And as you indicated,
9 there's this credit process, there's this rebate
10 process.

11 In my opinion, the charge would get
12 applied and then they would have to provide
13 documentation that their status is still what they
14 said it was previously in order to receive a
15 credit, if that's the direction that Council
16 chooses to go.

17 MAYOR LAYTON: Like the American
18 Legion, when the National American Legion formed,
19 they decided that all of the posts in the world
20 could -- would fall under their tax-exempt number.
21 So they are all under the same number, every one of
22 them. So that's a strange thing. However --

23 MR. TRUJILLO: What typically happens
24 is you have either as a credit or an exemption, you
25 have annual reporting requirements. So that tells

1 the Village that they're still a non-profit or
2 they're still pursuing the credit that was awarded
3 so you know, that's typically how these policies
4 go.

5 MAYOR LAYTON: Of course, the other
6 thing we probably need to do is find out how these
7 churches are set up, whether they are tax exempt or
8 they are not-for-profit or what.

9 MS. PORTER: Which reminds me, what was
10 the dates of the Nazarene Church being eligible for
11 commercial credit?

12 MS. SEYMOUR: Can someone remind me
13 where the Nazarene is?

14 MR. COUGHLIN: Yes. So the reason for
15 that, Annelle, is commercial properties that are
16 greater than five ERUs are eligible for a
17 commercial credit, and in that case the Nazarene
18 Church based on their impervious area at their
19 site -- and the same with the New Life Community
20 Church -- based on the impervious area of their
21 site, they are greater than five ERUs, and
22 therefore would be eligible for a commercial
23 credit.

24 MS. PORTER: Okay. Thank you.

25 MR. COUGHLIN: Yep.

1 MAYOR LAYTON: We'll have to address
2 that in our policy as well. Okay.

3 MR. TRUJILLO: So that's the
4 information that kind of updates us up to this
5 point. The one other item, I think, for discussion
6 that Deborah brought up is we'll have to establish
7 accounts for those and that's something that can
8 occur whenever, but --

9 MS. MORGAN: It would happen at the
10 same time if Council so chooses to enact stormwater
11 utility fund and setting the rates. It would be
12 done at the same time. We'd have to establish the
13 (inaudible) fund at that time.

14 MAYOR LAYTON: Okay. Okay.

15 MR. COUGHLIN: Wes, do you and I and
16 John want to set up a separate time to discuss some
17 of those aspects that you brought up?

18 MR. UNTIED: I think that would be
19 prudent. And I'd probably bring Jarod in on that
20 discussion as well, since he's done additional
21 research.

22 MR. COUGHLIN: Okay.

23 MR. UNTIED: I'll circulate an email
24 tomorrow and pick some dates and times if that's
25 all right?

1 MR. COUGHLIN: That would be great with
2 me.

3 MR. UNTIED: Thank you.

4 MAYOR LAYTON: Next on the agenda is
5 conforming boundaries, and we've run into a
6 scheduling issue with the election office. When we
7 conform our boundaries, we're off the ballot for
8 Union Township.

9 Do you want to give us an update, Wes?

10 MR. UNTIED: Well, I think we addressed
11 the underlying issue in the memorandum to Council a
12 few weeks ago. It's my sense that Council wants to
13 move forward with that. I'm anticipating a motion
14 tonight directing us to draft legislation in that
15 regard.

16 Timeliness of the circumstance, by pure
17 happenstance, is we're really up against two
18 separate issues. One, the County Auditor has
19 requested that if we are going to do this, that we
20 address it sooner rather than later because issues
21 get certified at the State in terms of Village and
22 bills issued. They requested we try to get on the
23 agenda with the County Commissioners as soon after
24 the September 14 meeting. Again, assuming Council
25 addresses it then, dispenses of readings and would

1 pass. I've spoken with the Commissioner's office,
2 they are meeting Thursday the 15th, and we would
3 address the issue with them and hopefully, have
4 them act that day. I'll be meeting with them
5 September the 1st in anticipation of it and to prep
6 them on the issue from our perspective. That's one
7 issue.

8 The second issue is the Board of
9 Elections matter because Union Township does, to my
10 understanding, have a pile of people on the ballot.
11 The general election you back up 30 days for
12 absentee voting and then you back up an additional
13 week for international voting. So theoretically,
14 folks, could start voting as early as September 23
15 on that issue. If we conform, there's the issue
16 about whether or not the Board of Elections would
17 have time to change ballots.

18 Now, historically that would become
19 more problematic because you had to get ballots
20 printed. Now, they apparently do that -- I don't
21 want to imply instantaneous, but with some
22 flexibility as to time.

23 There's an even greater issue though at
24 the Board of Elections that just came to my
25 attention mid-afternoon and it is, well, the fact

1 that if Hebron conforms, and those voters vote to
2 conform boundaries and Hebron citizens no longer
3 vote on the issue and Hebron's millage for
4 valuation is no longer in the millage, what does
5 that do to the underlying ballot issue? Because
6 that ballot language is already to have been
7 submitted to the Secretary of State and approved
8 and the calculation completed by the County
9 Engineer to say this is the amount of dollars that
10 will be generated by this millage. So that is a
11 great point of uncertainty, which will be a subject
12 of conversation with the Board of Elections
13 tomorrow.

14 MAYOR LAYTON: We have to notify the
15 Township 10 days in advance then. Have we done
16 that?

17 MR. UNTIED: We have to notify the
18 Township 10 days in advance of our intent to
19 consider and vote on the matter. Okay. So 10 days
20 prior to September 14, we have to give them notice.

21 MAYOR LAYTON: Here's my question,
22 should we have a special meeting to do it ahead of
23 that? Is that going to be a requirement?

24 MR. UNTIED: I didn't follow you,
25 Mayor.

1 MAYOR LAYTON: Should we call a special
2 meeting -- a special Council meeting next Wednesday
3 to handle this or the Wednesday after that and get
4 ahead of it?

5 MR. UNTIED: I don't know at this
6 point. I mean, my sense is assuming we go through
7 with our action tonight and Council chooses to
8 address it the 14th, I -- you know, it's easy for
9 me to say -- I don't fully appreciate and
10 understand the issue with the Board of Elections
11 yet, and my sense of it is they don't either. I
12 think the County Prosecutor is going to be on site
13 tomorrow morning to kind of review that issue.

14 I suspect it'll go to the Secretary of
15 State, general counsel and ask for some direction,
16 who is notorious for putting it back on, you've got
17 your own counsel, the prosecutor, you figure it
18 out. So I suspect those issues are being reviewed
19 overnight.

20 I think Council's kind of aware of the
21 14th, and obviously we have to have five of the
22 six, if you're, in fact, going to waive readings
23 and pass it. I guess, I'd be a little reluctant
24 to, maybe -- to move it up.

25 MAYOR LAYTON: Is anybody scheduled to

1 be away that week?

2 MR. WOLF: What are we talking? I'm
3 not, but --

4 MR. UNTIED: September 14.

5 MAYOR LAYTON: Like what Jim said,
6 would it be wise to do it like on the 7th?

7 DR. MOCKUS: They may need the time, is
8 what I'm hearing.

9 MAYOR LAYTON: I think we need to wait
10 until you talk to the elections people.

11 MR. WOLF: That would be more than 10
12 days prior to when we're talking about.

13 MR. UNTIED: In terms of notice to --

14 MR. WOLF: Yeah.

15 MR. UNTIED: -- the Trustees.

16 MR. WOLF: Yeah.

17 MR. UNTIED: What's the date today?

18 DR. MOCKUS: August 24.

19 MR. UNTIED: 24th.

20 DR. MOCKUS: There's three weeks until
21 our next Council meeting, which gives us the 10-day
22 window. Certainly gives --

23 MR. WOLF: I'd rather be safe than to
24 be sorry later on and saying, gee, we could have
25 done -- it's not going to hurt anything.

1 MR. UNTIED: It's a possibility, I
2 mean.

3 MS. STONER: One quick question, the
4 language of it, it would have to be under and
5 emergency.

6 MAYOR LAYTON: Yeah, you would have to
7 schedule --

8 MS. STONER: It would have to go into
9 effect date.

10 MR. UNTIED: Yes. For it to be in
11 effect, yes.

12 MS. SEYMOUR: I'm going to say to keep
13 it on the 14th, that way you have plenty of time.

14 MR. UNTIED: It's not an issue for me.

15 DR. MOCKUS: No, for the State to go
16 back and forth with the County, the Board of
17 Elections to figure out what they're doing.
18 Because if we meet on the 7th and everybody is not
19 ready, then we're not going to have 10 more days to
20 say, oh, sorry, Union Township, we're now going to
21 do it on the 14th. Is that right?

22 MR. UNTIED: That's true, yeah, with
23 that time frame.

24 MR. WOLF: If someone calls in sick
25 that day, then we're screwed.

1 DR. MOCKUS: Two some ones. We just
2 need five. Right?

3 MR. UNTIED: Five of the six.

4 MR. WOLF: Oh, no, I meant for the
5 County or the State.

6 MR. UNTIED: I guess, I will mention in
7 advance, too. This has a potential to be a
8 sensitive issue and that's probably as polite as I
9 can say it because there are repercussions for
10 everybody involved.

11 MAYOR LAYTON: But if we work through
12 the process you're telling us now, it won't affect
13 us, correct?

14 MR. UNTIED: I didn't say that, no.

15 MAYOR LAYTON: Did I think I was going
16 to get an answer out of the attorney?

17 MR. UNTIED: There will be -- there are
18 serious consequences regardless of how this shakes
19 out. Tomorrow may provide some insight. I don't
20 know if it'll provide resolution. But it's a
21 sensitive issue.

22 DR. MOCKUS: Actually, that's a good
23 point. So should we discover tomorrow or soon
24 there after that there really is a potential for a
25 negative impact, let's say, on the ballot for

1 something like that, I think we actually need to be
2 prepared to do a special meeting within the next
3 seven days if we find that out so we have plenty of
4 day time before the 14th if we need to change
5 anything.

6 MS. PORTER: You only need 24 hours for
7 notice for special, yeah.

8 MR. WOLF: I agree.

9 MS. SEYMOUR: So we could have -- if
10 needed, we could have a meeting next Wednesday,
11 that would still give us 10 days.

12 DR. MOCKUS: Over 10 days.

13 MR. WOLF: Agreed.

14 MS. SEYMOUR: If needed based on your
15 meeting tomorrow.

16 DR. MOCKUS: Well, it may be later
17 notifications from the State is what I'm hearing.
18 I guess, what I'm hearing is we need to be prepared
19 that we may have to come in earlier.

20 MR. UNTIED: Perhaps. And it's quite
21 possible we would have to generate notice before we
22 know because if you choose -- because if there's a
23 necessity for a special meeting on the 7th, that
24 10-days notice provision will have to be issued by
25 next Monday at the latest. So let's treat it as

1 Friday for worst-case scenario.

2 MAYOR LAYTON: I'm curious why we just
3 don't go ahead and pull the trigger on it and vote
4 on it the 7th? You guys have all of the
5 information.

6 MR. TRUJILLO: The 10-day notice.

7 MAYOR LAYTON: You said that 10-day
8 notice (inaudible) right now, we got to draw an
9 ordinance which is the same things that you guys
10 really got. Get it done and get it in place and
11 get it to the Commissioners on the 8th.

12 MR. UNTIED: Well, that's the
13 legislative body's decision.

14 MAYOR LAYTON: There's no adverse
15 effect of doing it ahead of time.

16 DR. MOCKUS: Yeah. If the State hasn't
17 gotten back or the Commissioners are still working
18 it out with the prosecutors. Is that right?

19 MR. UNTIED: Yeah, we don't know what
20 the resolution is going to be. Frankly, it's
21 probably more adverse to other parties than to us.

22 DR. MOCKUS: If we delay or if we go
23 fast.

24 MR. UNTIED: No, the result of what the
25 Secretary of State or prosecutor may say.

1 MAYOR LAYTON: So you wait -- you're
2 going to get some kind of question mark -- or
3 answer back from them within the next couple of
4 days.

5 MR. UNTIED: I think we will have
6 greater insight tomorrow morning by noon.

7 MR. WOLF: Kind of like what Valerie
8 said, let's go ahead and schedule it for the 7th.
9 I mean, what's the worst that can happen, we cancel
10 it?

11 MAYOR LAYTON: Well, we only need a
12 24-hour notice, right, to schedule a special
13 meeting?

14 MR. UNTIED: Yeah.

15 MAYOR LAYTON: So if you get
16 information tomorrow that says well, we got to get
17 this thing done right away, you think we can make
18 it work if we do that and we'll schedule the
19 meeting. If not, we'll wait and schedule it for
20 the 15th or whenever.

21 MR. UNTIED: 14th.

22 MR. TRUJILLO: So question, is that 10
23 calendar days or is it business days?

24 MR. UNTIED: 10 days, period. We
25 interpret that as calendar.

1 MR. TRUJILLO: And then what is the
2 notification? Is it just a letter?

3 MR. UNTIED: Just notice, letter,
4 ordinary mail, which we send by email as well, that
5 they, Council, will consider the issue at this
6 meeting and date and time. We have already
7 prepared that.

8 MAYOR LAYTON: So do you want to call
9 me tomorrow and let me know when the -- what the
10 status is on that?

11 MR. UNTIED: I am happy to do that.

12 MAYOR LAYTON: I am going to be on my
13 cell phone all day. And then Friday I'm driving to
14 North Carolina, so I'll be on my cell phone then.

15 DR. MOCKUS: Just to clarify, right now
16 though, and I'm sorry -- there was a
17 miscommunication. I wasn't in favor of the 7th.
18 I'm sorry.

19 Right now though, I think we still need
20 to direct legislation. We need to choose a date
21 and if we need to change that date, then change it
22 when we need to, right? Okay. And so, I mean, I'm
23 still inclined for the 14th, unless you tell us the
24 world is coming to an end and need to do it on the
25 7th.

1 MR. UNTIED: Well, to that point, the
2 motion might be directing me to draft
3 legislation --

4 DR. MOCKUS: Yes.

5 MR. UNTIED: -- to be presented either
6 at a special meeting on the 7th or the regularly
7 scheduled meeting on the 14th, whichever comes to
8 me.

9 DR. MOCKUS: And do you do the
10 notification?

11 MR. UNTIED: Yes.

12 DR. MOCKUS: Okay. And so do we need
13 to tell you anything specifically about the
14 notification or just whichever one ultimately is
15 selected, you will send that notification?

16 MR. UNTIED: Whichever (inaudible.)

17 MS. PORTER: To the Trustees or just to
18 the office?

19 MR. UNTIED: It says the office. We
20 typically send it to the chair, the fiscal --

21 MS. PORTER: So more of the --

22 MR. UNTIED: Yes.

23 MS. PORTER: I also have another thing
24 that I need clarified. You talk about conforming
25 the boundaries, conforming the boundaries. It's

1 been a phrase that has come up in the last couple
2 of years, actually. And here we are -- I don't
3 think we have -- I don't know of anybody who's in
4 opposition to it. But on the other hand, I'm not
5 sure we all have a lot of information about what it
6 is we'd actually be doing. And I wonder --

7 MAYOR LAYTON: You got the information
8 Mr. Griggs sent us, correct?

9 MS. PORTER: Yes. But would you mind
10 if we went ahead with some discussion about that
11 tonight?

12 MR. UNTIED: I am happy to speak to
13 that.

14 MS. PORTER: Would you please?

15 MR. UNTIED: Yes. The idea with
16 conforming boundaries --

17 MS. PORTER: Yes.

18 MR. UNTIED: -- is that you petition
19 the County Commissioners and ask them to exclude
20 from Union Township that area that lies within the
21 incorporation boundaries of the Village. Okay? So
22 you're saying, remove us from Union Township.

23 MS. PORTER: Uh-huh.

24 MR. UNTIED: And then there's a fine
25 technical point that they have to also establish a

1 township and call it, probably Hebron Township, but
2 you always have to do that. Any land that's come
3 into the Village pursuant to a Type II expedited
4 annexation, of which there are four instances
5 involving five parcels, those are not -- not part
6 of the conformed boundaries. Okay? So they're
7 still subject to Union Township issues, voting,
8 taxation. Okay?

9 Now, technically, and I don't want to
10 digress too far, there is actually a process if the
11 Township is on board of agreeing, to take those
12 parcels out and put them as a part of the Village.
13 I think, special counsel that we engaged thought
14 that's too risky at this point because the clock
15 was running. If we don't get a timely answer from
16 the Township, we may miss our window of
17 opportunity, which is being compressed on us
18 anyway.

19 So that's kind of a really basic
20 laymen's understanding. We basically are taken out
21 of the Township. We therefore, will not vote on
22 their issues, their trustees and theoretically, we
23 won't be subject to their individual levies or
24 assessments.

25 MAYOR LAYTON: How about the property

1 tax?

2 MR. UNTIED: I'm sorry?

3 MAYOR LAYTON: The property tax?

4 MR. UNTIED: I don't understand the
5 split of that, Mayor. I don't know how that
6 impacts that.

7 MR. TRUJILLO: Well, according to Pete
8 Griggs, that is -- that comes, after that point,
9 that comes wholly to the Village as income and then
10 whatever percent that the Township was getting
11 comes down to the Village, since we've conformed.
12 Then it's up to the Township to ask for the
13 compensation that is allowed, which is a, I think,
14 12-year process with a declining amount that we
15 share back to them. So the County has nothing to
16 do with that. They don't want anything to do with
17 it. So it comes to us, and it's up to us and Union
18 Township to split that money off according to --

19 MAYOR LAYTON: There's a formula.

20 MR. TRUJILLO: -- a schedule.

21 MAYOR LAYTON: Yeah, a schedule.

22 MR. UNTIED: Just as an aside, the fact
23 that we petition is not an automatic that the
24 Commissioners are going to approve that. It still
25 lies within their discretion. Now, you would like

1 to think that we don't have a reason because we can
2 contract for all of the goods or services they were
3 otherwise providing, if any, and it would result in
4 duplication of taxation. All good reasons you can
5 justify it. But that being said, it's still in the
6 discretion of the Trustees. So it's not an
7 automatic.

8 DR. MOCKUS: The Commissioners.

9 MR. UNTIED: I'm sorry, yes, thank you.
10 You knew what I meant. I misspoke.

11 MAYOR LAYTON: I think it's established
12 because there's -- and, I think, Hanover Township
13 talked to Flowers about this and Hanover Township
14 conformed the boundaries and then they went back.
15 But, I believe, it was because the Township was
16 providing services to them and they conformed their
17 boundaries. They said, no, we're not going to do
18 that. I think -- that's my assumption of that.

19 MR. UNTIED: I think that's a
20 reasonable assumption but I can't speak to that.

21 MAYOR LAYTON: He didn't tell me that
22 was exactly it, but he told me it was a service or
23 something was going to cost them money to provide
24 the services, the township the services. So
25 anyway, so we're going to go ahead and we're

1 looking at --

2 Dr. Mockus, is that -- have you made
3 that motion?

4 DR. MOCKUS: So moved. So that's to
5 cover both the drawing up the legislation and also
6 sending the notice?

7 MR. UNTIED: Yes.

8 MAYOR LAYTON: And to schedule the --

9 MS. SEYMOUR: Second.

10 MAYOR LAYTON: Whenever that may be.
11 Any other conversation? I mean, it makes perfect
12 sense to me. Okay, now the roll call. I
13 remembered this time.

14 MS. FURBEE: Mr. Wolf?

15 MR. WOLF: Yes.

16 MS. FURBEE: Mr. Nauer?

17 MR. NAUER: Yes.

18 MS. FURBEE: Ms. Porter?

19 MS. PORTER: Yes.

20 MS. FURBEE: Ms. Stoner?

21 MS. STONER: Yes.

22 MS. FURBEE: Dr. Mockus?

23 DR. MOCKUS: Yes.

24 MS. FURBEE: Ms. Seymour?

25 MS. SEYMOUR: Yes.

1 (MOTION APPROVED.)

2 MAYOR LAYTON: Next up on the agenda is
3 the bulk water agreement. We went in and met with
4 the Commissioners and the water people and they
5 wanted to extend that project to a long term
6 agreement. Basically, what they want to do is to
7 be able to service the east side.

8 They are doing the water study now and
9 trying to make sure that they can -- they are
10 trying to see a way -- trying to find a way to
11 provide water to everybody in the County. And what
12 the discussion was is to make it a long term
13 agreement with the same numbers, basically, that we
14 have now.

15 We'll have to change the price when we
16 get our -- when we finally get our utility rate
17 study back. We'll probably have to adjust the
18 price a little bit. But the idea is to make it a
19 30-year agreement so they don't have to go out and
20 make an \$11 million water pump. They want to
21 provide water. They want to do it through us and
22 we've -- pretty much we went in business with them
23 and that was pretty much a done deal. It's out
24 there and they want to do it, they just want
25 (inaudible).

1 MR. TRUJILLO: And currently we're
2 contracted for 130,000 gallons a day, and, I think,
3 one of their asks for will be that we increase that
4 amount. So, basically, we'll have to reserve
5 capacity for them up to whatever amount. I think
6 they were throwing out 200,000 gallons a day.

7 MAYOR LAYTON: But they have not
8 surpassed 133 days in a row. But our program is
9 that if they surpass that number three days in a
10 row, then we charge them a bonus.

11 MR. TRUJILLO: Yeah, 10 percent.

12 MAYOR LAYTON: Additional charge.

13 MR. TRUJILLO: Up charge.

14 MAYOR LAYTON: And they have -- I don't
15 think they've had an up charge this year yet.

16 MR. TRUJILLO: No. And the other issue
17 being if they exceed that 130,000 regularly, then
18 capacity fee of about \$288,000 kicks in. So we'll
19 have to look at those terms if they want more water
20 than the 130,000.

21 MAYOR LAYTON: They want it to be more
22 of a partnership and if they get a big development
23 that way in the next 5 years or 10 years or
24 whatever it is and it's a big change in the water,
25 we'll sit down and go through the partnership. You

1 know, you're going to have to do this and you help
2 us with that. I'm not sure that the guys that are
3 there now may be receptive to that. They want to
4 get water everywhere. I mean, they've got an
5 engineering firm out looking to see what everybody
6 has and what's available. They came to talk to us,
7 too.

8 MR. NAUER: Why not 15 years instead of
9 30?

10 MS. PORTER: Yeah. I think 30 years is
11 a long time.

12 MR. TRUJILLO: Well, it's a guaranteed
13 customer for us, and they're the third highest
14 water user in our system.

15 MAYOR LAYTON: I believe, now I don't
16 know because I haven't read the agreement. I
17 haven't seen the new agreement yet, but I believe
18 there is an out for both of us. So we'll just
19 leave an out in there and make it 30 years.

20 The idea is to figure a percentage
21 under what our rate is in town, and that way we
22 don't have to go in and do an agreement every time
23 we change the rate. It's just all of a sudden
24 that's a percentage under what we charge or a
25 percentage of whatever we charge for the rate in

1 town, they would pay.

2 MR. TRUJILLO: Yeah, so whatever
3 current rate then they'll -- if it goes up then it
4 goes up for them.

5 MS. PORTER: I kind of concur with
6 Kenny. I think 30 years is a very long time to be
7 involved with one contract.

8 DR. MOCKUS: May I ask a quick
9 question. Who asked for 30 years? Did we offer
10 it?

11 MR. TRUJILLO: Licking County
12 Commissioners.

13 DR. MOCKUS: They asked for it? We're
14 negotiating with them for conforming boundaries, is
15 that correct? No, I'm serious, totally serious.

16 MS. PORTER: -- strike first.

17 MAYOR LAYTON: I'm not sure, I mean, I
18 don't think there's a problem with negotiating the
19 water agreement. And 30 years, if you've got an
20 out in the agreement -- we'll probably make sure
21 that there is an out in the agreement that we can
22 walk away from it. Obviously, we'd have to give
23 them time to find water somewhere if we're going to
24 walk away and quit selling it to them. If there's
25 an out in the agreement, all we're doing is pumping

1 it to a master meter and they're taking it care of
2 it from there. All of the expense, all of the
3 billing, all of the repairs, all of the
4 maintenance, all of that stuff is theirs.

5 MS. PORTER: So who would get tap fees
6 if there is such a thing?

7 MAYOR LAYTON: They would. They are
8 maintaining their service. That's how they pay for
9 their system is taxes.

10 MS. SEYMOUR: I do really like that
11 it's not a set dollar amount for the whole 30
12 years.

13 MS. PORTER: Well, it couldn't be.

14 MS. SEYMOUR: It's a percentage. John,
15 I mean, that makes me happy to know that it's a
16 percentage and not --

17 MAYOR LAYTON: I agree. And I think
18 that's the best way to do it because you don't
19 know -- if you get three different trustees in
20 there 10 years down the road and you think you're
21 going to have to change and they go in and say,
22 we're not going to change it. Well, you know, it
23 would be better to do it that way and do it for a
24 term. And they were looking for 30 years and it
25 made sense to me. I mean, if there is an out, if

1 we get to the point where -- and I don't -- I don't
2 see any negative result of doing it for 30 years if
3 there's an out in the contract. If something comes
4 up and the world comes to an end and it's not
5 working for us, we can go in and say, look, we're
6 going to give you notice now that we're going to
7 stop doing this.

8 MR. TRUJILLO: And that out process is
9 a year long. So if they elect to come out, we have
10 a year to adjust for it. Just like if we choose to
11 come out, they have a year to adjust for it. It
12 gives each party some time.

13 And we discussed the time frame with
14 V3. Brian was part of that discussion and had
15 talked about some of these type of long term
16 agreements that exist in Ohio and, I think, you
17 spoke of some of these in the Columbus area being
18 50 year agreements. So we're between the 5 year we
19 are now and the 50 there. So 30 years seem to
20 be --

21 Go ahead, Brian.

22 MR. COUGHLIN: Yeah, if I may. It's a
23 good question by Annelle and Kenny. So part of the
24 reason -- and the philosophical reason for going
25 with a longer term agreement is when the Village of

1 Hebron is budgeting and planning their capital
2 improvement projects for how big to size the water
3 treatment plant, the water storage tanks, you know,
4 high-dollar capital improvements -- you know if the
5 County is wanting a quarter million gallons a day,
6 you know the Village needs to know that and budget
7 for that.

8 If they got -- and let's just say you
9 build a water plant today and you account for
10 250,000 gallons of water from them, that costs the
11 Village a certain amount of money, capital, to
12 build in that capacity for the Village -- or for
13 the County. And if the County pulls out after 5
14 years, the Village is still on the hook for that
15 debt for the next 20, 25, 30 years if the County is
16 no longer part of that agreement.

17 So the reason for the longer term
18 contracts is to accommodate for capacity needs that
19 the County has and the Village knows, hey, were
20 going to go ahead and budget for that capacity
21 because we are in a long term agreement with the
22 County.

23 And I assume that there is some type of
24 reopener clause in this agreement. You know, it
25 is -- it's a nice agreement, but I would assume

1 there is some type of reopener clause.

2 As John indicated, the way Columbus
3 works this with their -- all the satellites, being
4 the New Albanys of the world, Gahannas of the
5 world, Upper Arlington, they do theirs with 50-year
6 agreements.

7 DR. MOCKUS: Can we verify that there's
8 a reopener clause?

9 MAYOR LAYTON: We haven't had the
10 agreement put together yet.

11 DR. MOCKUS: Okay.

12 MR. TRUJILLO: We have a draft
13 agreement that Jarod and Wes's office put together
14 that has -- we have drafted language in there if
15 there is a drought locally. So if we need to serve
16 our residents locally and we only have water for
17 that, then the agreement recognizes that we are
18 going to be turning that off.

19 So there is various protections in
20 there and then if we need to add -- you know, if
21 there is capacity issues or costs involved in that,
22 then that's kind of why we put those capacity fees
23 in there. So if they reach a certain threshold and
24 there's going to be cost to us for that, then that
25 trips the basically the tap and capacity fees,

1 which is for that size plan it's \$288,000.

2 MAYOR LAYTON: Brian, can you get a
3 reopener -- a copy of the reopener agreement with
4 one of those other companies -- one of those
5 villages or something, see if somebody's got one in
6 there?

7 MR. COUGHLIN: Yeah. Yeah, if there's
8 not currently one in there, certainly, yeah.

9 MAYOR LAYTON: The agreement over there
10 now is just a draft. I mean, we are sitting down
11 and negotiating. We're negotiating the price. We
12 haven't done any of that yet.

13 What we are talking about, Wes, is the
14 reopener agreement. He's talking about the capital
15 improvements and stuff if they all of a sudden want
16 to walk away in 5 years. So we're going to try to
17 find out if -- he's got some of those around
18 Columbus have reopener agreements in them. He
19 believes we can get one of those -- the language
20 out of that. I think, there is something in our
21 agreement to do that, but again I haven't read it
22 clear through.

23 MR. TRUJILLO: Yeah. There is some fee
24 adjustments and I don't recall how it's --

25 MAYOR LAYTON: Okay. Any other

1 questions about -- that involves water?

2 MS. SEYMOUR: But we don't have to do
3 anything about that today?

4 MAYOR LAYTON: No. We gave them a
5 draft agreement. And we still have to go back in
6 and sit down and say, okay, here is some of the
7 stuff. And if there's nothing -- the language
8 isn't right in there about that, we'll fix that.

9 And still once we get our water study,
10 we can price it. And that's the big point right
11 now. We got to get the right price so we are not
12 selling it for less than what it is costing us to
13 make it. You'd think that would be the simplest
14 thing in the world to go out there and say, here is
15 what it cost to do 1,000 gallons of water, but
16 apparently --

17 Okay. Does anybody have anything else
18 in Council action items? We'll move onto the
19 administrator's report.

20 MR. TRUJILLO: Did you make copies for
21 everybody? I sent it to you earlier in the week.
22 So apparently, copies weren't made but I can
23 briefly cover the material in there. So we update
24 and address some of the waterline issues when we
25 talk about the timing on the loans and the

1 (inaudible).

2 There's a couple of bid openings that
3 occurred. One bid opening was for the sewer
4 cleaning and televising. Zemba Brothers was low.
5 So I think we voted to approve that. The other bid
6 opening was for the paving, and, unfortunately, for
7 the costs that we have in there, the bids were
8 high. So we have the ability to accept a higher
9 bid if it's within 10 percent. And neither bid
10 from Kokosing or Shelly was even close so.

11 MAYOR LAYTON: Surprise, the price of
12 asphalt went up.

13 MR. TRUJILLO: Well, the problem was
14 there's -- so we have some issues out there with
15 drainage and there was a fabric that we put in
16 between the layers that give it that strength so
17 you don't see that alligatoring on the road. And
18 we're going to end up taking that out and we're
19 going to have to actually put storm pipe in. So
20 that will be, you know, to provide the drainage
21 that gets it off the road so the improvements will
22 have to be made elsewhere.

23 MS. PORTER: Where are you talking?

24 MR. TRUJILLO: For the paving, so
25 that's Birch and 9th. So again doing the drainage

1 in the area already so the process will be we'll
2 rebed it with the option to move the fabric and
3 that should place us within that -- it will be
4 slightly higher.

5 But we were able to -- I was able to go
6 through and look and add some funds to it that were
7 still left in there for non-conformed work in that
8 budget area. So we're going to see a higher cost,
9 but it's not going to be out of our ability to pay.
10 So we'll be able to award a bidder.

11 MR. NAUER: Would it be feasible to
12 take and grind it and then chip and seal it for
13 this year and then pave it next year?

14 MR. TRUJILLO: I don't think that would
15 help us.

16 MR. NAUER: But it will help your
17 gravel.

18 MR. TRUJILLO: Well, it will help
19 the -- you know, that's money we won't have to
20 spend. You know, but both with water conditions
21 that are out there, I don't think that's going to
22 hold.

23 MS. PORTER: So there was no bid
24 awarded for the paving, is that correct?

25 MR. TRUJILLO: Correct. So we're going

1 to push this out to September -- it will be -- we
2 are about to reopen it and it will be out until --
3 reopen -- the bid opening will occur, I think,
4 September 9.

5 MAYOR LAYTON: Rookie, you think doing
6 the chip and seal then pave overtop of it because
7 it used to be --

8 MR. NAUER: We did.

9 MAYOR LAYTON: -- the other way around.
10 We used to pave it and then put chip and seal on
11 top of it.

12 MR. NAUER: We did it out on Canyon
13 Road years ago and it seemed to be -- it's held up
14 really well.

15 MAYOR LAYTON: Dollar and cents-wise --

16 MS. PORTER: (Inaudible.)

17 MR. NAUER: Pardon me?

18 MS. PORTER: You need to do it again on
19 Canyon, especially --

20 MR. NAUER: Well, that's been years and
21 years.

22 MR. TRUJILLO: Well, the problem with
23 chip and seal versus -- you know, they'll grind the
24 road and repave it is longevity. So that's
25 something that we're going to have to do on these

1 roads because they are paved wrong. So in other
2 words, the rating -- we do ratings on our roads and
3 both of those roads are listed as fail.

4 MR. NAUER: And you're doing 9th
5 street, correct?

6 MR. TRUJILLO: Yeah.

7 MR. NAUER: And 9th you're only going
8 to North Street, correct?

9 MR. TRUJILLO: Yeah. The unpaved
10 portion or -- we did some previous paving and this
11 is the rest of it.

12 MR. NAUER: Yeah. So from North Street
13 on out, you're not doing it?

14 MR. TRUJILLO: No.

15 MR. NAUER: That's the worst part.

16 MAYOR LAYTON: We don't have the money.

17 MR. NAUER: Yeah, I know, but I'm
18 just --

19 MAYOR LAYTON: We graded the streets
20 and those were the two that were the worst,
21 correct?

22 MR. TRUJILLO: Well, according to the
23 rating.

24 MS. PORTER: I think Enterprise --

25 MR. TRUJILLO: We have a few other

1 roads --

2 MAYOR LAYTON: The streets are bad.
3 There is no question.

4 MR. TRUJILLO: We had some other roads
5 that we actually have graded in worse shape but
6 they are getting waterlines in them next year. So
7 if we would perform paving this year, we would have
8 to tear them up next year. So this was the next
9 one on the books.

10 MS. PORTER: So tell me about the curve
11 on to Enterprise. That's the worst across this
12 Village.

13 MAYOR LAYTON: I think they were
14 talking about putting an apron in there.

15 MS. PORTER: It really needs to have a
16 wider turn. Let's not get into roads and turns.

17 MAYOR LAYTON: There's a big hole out
18 there. You're right.

19 MS. PORTER: And there is not only one.
20 They multiply.

21 MR. NAUER: That will be the State.

22 MS. PORTER: Yeah.

23 MR. TRUJILLO: Yeah. It's part of the
24 '23 paving.

25 MS. PORTER: I sure don't want to

1 forget that because that's lousy.

2 MR. TRUJILLO: So that will be part of
3 that ODOT paving project, and they've looked at
4 that.

5 MS. PORTER: Yeah. I understood that
6 was the case, but it's not going to happen until
7 the construction in 2023.

8 MR. TRUJILLO: Correct.

9 MAYOR LAYTON: Well, we got to just
10 keep chipping away at these streets, but we don't
11 have a lot of money to put in them.

12 MR. WOLF: You said on 9th. That's
13 between Main and North, you said?

14 MR. NAUER: Yep.

15 MR. WOLF: Is that going to be ground
16 down?

17 MR. TRUJILLO: Yeah. They're going to
18 mill it and then repave it.

19 MR. WOLF: The sidewalk is already
20 lower than the street is now anyway, so the water
21 collects on it.

22 MR. TRUJILLO: Yeah. And I don't think
23 I would want to put any work on the roads with out
24 doing that first.

25 MR. NAUER: Yeah. I mean, that's --

1 you got to get the cracks out of it, but like he
2 was saying, it's like all the sidewalks are too
3 low.

4 MR. WOLF: They are.

5 MR. NAUER: When they did 79, if you
6 look at -- all the sidewalks are lower.

7 MR. WOLF: From the post office there
8 to where the old doctor's office used to be there.

9 MR. NAUER: Yeah.

10 MR. WOLF: We'd get a little bit of a
11 rain and then it's half way out into the street and
12 then all of the sidewalks.

13 MR. NAUER: They worked on that. I
14 don't know if they got it fixed or not. There was
15 a company out there pouring concrete.

16 MR. WOLF: They were monkeying with the
17 gas line. I seen that there, but that was not it.

18 MR. TRUJILLO: And we were discussing
19 fiber with Verizon Fiber and the fire station needs
20 fiber for their 911 calls. And, I believe, they
21 finally contracted with Spectrum to provide fiber
22 to the fire station.

23 And they also informed us that it's
24 fire station number 6, I believe, is what they are
25 calling it.

1 MR. NAUER: Yep.

2 MR. TRUJILLO: So if you listen to the
3 radio, that will be when they call fire station
4 number 6, that's the Hebron station.

5 DR. MOCKUS: Not 406, but 6?

6 MR. TRUJILLO: 6.

7 DR. MOCKUS: Okay.

8 MR. WOLF: To Annelle's question, I'm
9 looking at the drawings that are in your pack there
10 for the LIC 79-00.1. It shows all the curbs on
11 Enterprise as being built back up.

12 MR. TRUJILLO: Yeah. That is
13 definitely in the project.

14 And COVID has been an issue for us. If
15 you read the last report, we had two employees out.
16 This time we had one employee out, but he's already
17 back. Currently, the standards for COVID is you're
18 out -- if you test positive you're out 5 days, and
19 then you can come back if you're not showing any
20 symptoms or if you test negative.

21 So if they are coughing -- we had an
22 incident where the employee, anytime he gets sick,
23 he coughs for a week after or two, and he went
24 ahead and got tested again. So he is officially
25 negative and he was allowed to come back to work.

1 So we're dealing with whatever strain and now there
2 is whatever strain and now there's something else
3 coming out.

4 But the other -- as far as employees we
5 offered for Jason's water labor position to a
6 gentleman, his last name is -- his full name is
7 Justin Wess and he passed his background check,
8 both drug and background screening. So he's going
9 to start September 6. So all the full-time
10 positions are filled now.

11 The one other personnel issue that I
12 wanted to bring up was Linda Nicodemus. She has
13 submitted her resignation. She's been a 21 year
14 employee and we'll miss her.

15 MAYOR LAYTON: Why don't you send to
16 every Council member your report so they can have
17 it.

18 MR. TRUJILLO: Yeah.

19 MS. MORGAN: Does that need to be
20 accepted by Council? The resignation?

21 MR. UNTIED: Do we have a formal letter
22 of resignation?

23 MR. TRUJILLO: Yes.

24 MAYOR LAYTON: You do? I haven't seen
25 it.

1 MR. TRUJILLO: She handed it in.

2 MAYOR LAYTON: September 16, I believe,
3 15, or somewhere around there.

4 MS. MORGAN: I'll need a copy of that.

5 MR. TRUJILLO: Excuse me?

6 MS. MORGAN: I'll need a copy of that
7 letter.

8 MR. TRUJILLO: Yeah, okay. Yeah, we
9 can distribute it.

10 MAYOR LAYTON: So we need a motion to
11 accept her resignation.

12 MS. PORTER: So moved.

13 DR. MOCKUS: Wait do we need to do it
14 before we receive the letter?

15 MAYOR LAYTON: Yeah. We received a
16 letter.

17 MR. TRUJILLO: You want me to go get
18 that?

19 MAYOR LAYTON: Yeah. And we really
20 don't need to do it until the next Council meeting,
21 right?

22 MR. UNTIED: Right.

23 MAYOR LAYTON: That will be
24 September 11?

25 DR. MOCKUS: 14.

1 MR. UNTIED: September 7 is going to be
2 a special meeting. So it's not appropriate for
3 that.

4 MR. WOLF: Next week.

5 MAYOR LAYTON: Well, that will be her
6 last day, so we can do it then, no problem.

7 DR. MOCKUS: I thought you said the
8 16th was.

9 MAYOR LAYTON: No, I think it's -- he
10 just told me the 14th. The 16th, okay.

11 MS. MORGAN: She offered to stay until
12 the 16th. I think, that's why there's two dates
13 there.

14 MS. PORTER: Okay. So this letter is
15 going to determine which date, the 14th or the
16 16th.

17 MS. MORGAN: I haven't seen the letter,
18 so --

19 MS. PORTER: Neither has anyone else.

20 MAYOR LAYTON: Well, she just did it
21 yesterday. We're waiting on getting the letter and
22 he can tell you.

23 MS. MORGAN: While we are waiting, I
24 just wanted to let you know when the administrator
25 was speaking about the COVID and how it -- it has

1 affected an employee that didn't have enough sick
2 leave because they just started. But I just want
3 to let you know, we had our current employees
4 donate their sick leave so that person would be
5 paid fully. So I just wanted to let you know that,
6 our employees are stepping up and helping.

7 DR. MOCKUS: Was that an employee idea?

8 MS. MORGAN: We put that policy in
9 place a few years ago when we had a new employee
10 who didn't have enough sick leave have a major
11 incident. And one of our employees wanted to
12 donate sick leave so we created the policy. And I
13 have the forms and so we have two employees step
14 up. Actually, we had a lot more to offer but two
15 of the employees donated time so this individual
16 would not lose any pay since he's new and hasn't
17 had enough time to build up sick leave and didn't
18 have any to bring with him. So I just thought I'd
19 let you know while we were waiting then.

20 MS. PORTER: That's very good of them.

21 MAYOR LAYTON: John talked with Jim
22 Leonard today and he may have an opportunity to
23 send somebody our way, and we'll get it advertised
24 and get it going in the right direction here.

25 MR. TRUJILLO: We've been -- she gave

1 this to us yesterday and we've had some discussion
2 on personnel and needs. I mean, the sheer amount
3 of work that Linda was doing, I don't think we
4 could give to one person in light of her unique
5 experience that allowed her to be able to do that.
6 So we're going to have to break up those duties.

7 We talked to Bonnie who is doing the
8 Code enforcement work, being able to take on that.
9 We're moving some of her other duties. And we'll
10 have to figure out how we're going to be able to
11 allow, you know, spread the work around and how
12 many personnel can do it. So we're still in that
13 discussion phase but we'll bring -- we'll bring
14 something to Council as soon as we have a plan.

15 MAYOR LAYTON: Okay. So John is going
16 to send you his administrative report since it
17 didn't get to you in time. Council members
18 report --

19 MS. SEYMOUR: I'm sorry.

20 MR. UNTIED: Are we going to address
21 the motion to accept the resignation?

22 MAYOR LAYTON: I'm sorry. We got to do
23 that tonight. Okay, Annelle.

24 MS. PORTER: We need a second.

25 MS. STONER: Second.

1 MS. FURBEE: Ms. Stoner.

2 MS. PORTER: Were you the one that
3 seconded it?

4 MS. STONER: Yep.

5 MS. FURBEE: So the motion would be to
6 accept the letter or resignation set for September
7 14.

8 MR. UNTIED: Well, that's when it's
9 proposed, yes.

10 DR. MOCKUS: But I thought that was
11 going to be extended to the 16th?

12 MR. TRUJILLO: Yeah.

13 MR. UNTIED: She offered to stay
14 beyond.

15 MR. TRUJILLO: The 16th will be her
16 last day.

17 MR. UNTIED: So that is the motion,
18 Annelle?

19 MS. PORTER: Yeah.

20 MR. UNTIED: Thank you.

21 MS. FURBEE: And that's what you
22 second, Stacy?

23 MS. STONER: Yes.

24 MS. FURBEE: Mr. Wolf?

25 MR. WOLF: Yes.

1 MS. FURBEE: Dr. Mockus?

2 DR. MOCKUS: Yes.

3 MS. FURBEE: Ms. Stoner?

4 MS. STONER: Yes.

5 MS. FURBEE: Ms. Seymour?

6 MS. SEYMOUR: Yes.

7 MS. FURBEE: Ms. Porter?

8 MS. PORTER: Yes.

9 MS. FURBEE: Mr. Nauer?

10 MR. NAUER: Yes.

11 (MOTION APPROVED.)

12 DR. MOCKUS: So do we have a going away
13 party? Like, what does that look like? I mean,
14 we've lost people. This is maybe one of four that
15 I can think of that have been around a long time.
16 But a couple of those circumstances weren't the
17 best leaving. Certainly, we're going to do
18 something, right?

19 MR. TRUJILLO: We have --

20 MS. PORTER: We have the employee
21 luncheon.

22 MR. TRUJILLO: We have moved the
23 employee luncheon to the 16th, and we had planned
24 on that also being a going away party where all of
25 the employees will be there for the luncheon. So

1 we'll do a going away party then for her on her
2 last day. That's the plan. We didn't put it in
3 because -- when we moved the date to the 16th, we
4 didn't put it in there because we hadn't notified
5 Council yet. So that's the plan and we'll announce
6 that update here before the end of the week. So I
7 will really miss her.

8 MAYOR LAYTON: She will be tough to
9 replace. Okay. Council member's reports, can I do
10 that now? Are we all set?

11 Mr. Wolf, do you want to start?

12 MR. WOLF: No, I'm good.

13 MAYOR LAYTON: Any last words on the
14 Refugee Canyon Joint Fire District?

15 MR. WOLF: No. Everything seemed to go
16 pretty smooth down there, no complaints that I know
17 of. They're starting to clean things down there.
18 I mean, we got until tomorrow -- I think, we
19 discussed about the copier down there. We're going
20 to move the one to Melissa's residence, so she can
21 continue delivering the bills and everything, but
22 it's all good.

23 DR. MOCKUS: On Refugee Canyon's
24 website, they included the most recent five calls.

25 MR. WOLF: Okay.

1 DR. MOCKUS: I don't know if you ever
2 noticed that.

3 MR. WOLF: I did, but I just got on my
4 phone so I never knew it was on the website.

5 DR. MOCKUS: Can you -- is that an app
6 that other people can have or is it because of your
7 position on the board?

8 MR. WOLF: It was through Active Alert
9 and I'm not sure. I don't think that just
10 everybody can get it.

11 DR. MOCKUS: Yeah. That's my concern
12 because previously residents can look and see at
13 all times what the most recent runs were.

14 MAYOR LAYTON: I had it when I first
15 became mayor they gave it to me and then they took
16 it away because they said that there was going to
17 be a charge for it and I decided I didn't want to
18 do the charge for it.

19 MR. WOLF: No. I've still got Active
20 Alert on there but they took Refugee Canyon off of
21 it so I have to get it reprogrammed for West
22 Licking. But it's not something you really want to
23 have.

24 MR. NAUER: That's what they told us.

25 MR. WOLF: Even with Refugee Canyon, I

1 mean, you'll hear that thing go off all of the
2 time, in the middle of the night -- if you don't
3 turn it off, in the middle of the night or
4 whatever.

5 MR. NAUER: It won't be for just this
6 station.

7 MR. WOLF: That's right, all stations.

8 MAYOR LAYTON: How many runs did you
9 say they had last year?

10 MR. NAUER: What, 8,500?

11 MR. WOLF: Yeah. They'll get like 500
12 a month.

13 DR. MOCKUS: Yeah. My point is that
14 this is a loss of service to the residents. So
15 that's my question, is there anything we can do to
16 ask if something can be made available to residents
17 so they can look at that? If we can't, we can't.
18 But I feel it's important to ask the question.

19 MR. WOLF: I'll check into it but it
20 would be most likely under West Licking because I'm
21 looking for the Refugee Canyon and it's going to go
22 away, the website.

23 DR. MOCKUS: Yeah. Absolutely, I
24 understand that, yeah. Thank you.

25 MR. WOLF: Yep.

1 MAYOR LAYTON: I don't think it's a
2 loss of service. I think it's a change of service.

3 DR. MOCKUS: Communication is something
4 that people notice.

5 MAYOR LAYTON: I understand but I just
6 wanted to correct the -- when we say a loss of
7 service, we're saying we took something away from
8 them.

9 DR. MOCKUS: Correct.

10 MAYOR LAYTON: Well, we did, but we
11 replaced it with a service that's going to be the
12 same.

13 DR. MOCKUS: Nope.

14 MAYOR LAYTON: Yep.

15 DR. MOCKUS: We're not communicating
16 what we used to communicate. That's a loss of
17 service. I'm not saying that we're not going to
18 get better service.

19 MAYOR LAYTON: You put it however you
20 want to put it.

21 DR. MOCKUS: Right. That's what I
22 wanted to do.

23 MAYOR LAYTON: Okay. Ms. Stoner?

24 MS. STONER: Are you finished?

25 MR. WOLF: Yes, I'm done.

1 MS. STONER: For Linda's party, is that
2 when it has to be, when we would normally be having
3 a party anyway? We can't have something separate
4 for her?

5 MAYOR LAYTON: You can have something
6 at a Council meeting or however you want to do it.

7 MS. STONER: I'm just asking.

8 MAYOR LAYTON: As long as she's okay
9 with it. We got to make sure she's okay with it.
10 We've had people that said, no, I don't want a
11 party.

12 MS. MORGAN: I think, the reason why
13 the employees wanted to do it on the same day is
14 because it is hard to have all the departments and
15 taking days away from them -- to all take their
16 lunch at the same time to come. So having that one
17 day they're already planning on coming, instead of
18 having another day to have them all come for Linda.
19 It was going to be convenient, so she felt more of
20 a bigger show, you know, of support.

21 MS. STONER: Well, they all can come
22 because it is already set.

23 MAYOR LAYTON: But you could also, if
24 the Council wanted to have a separate thing, you
25 guys, that's fine, too. However you want to do it.

1 MS. MORGAN: It's not that we couldn't
2 have done it, we just were -- I think, the thought
3 process was, it's going to be much more people here
4 on the 16th because the fellowship Fridays have
5 been pretty successful and everybody comes. So
6 that's why.

7 MS. STONER: Thank you.

8 MAYOR LAYTON: Anything else,
9 Ms. Stoner?

10 MS. STONER: Yes. Sorry, I wanted to
11 make sure I said that because I cannot be here on
12 that Friday. So that's why I was just wondering if
13 there was something Council could do for her if we
14 choose to.

15 I wanted to thank CJ for the door
16 hangers for the recent work on Hamilton and for
17 taking down the flags. I had a couple people
18 mention that they were happy to see the flags gone.

19 MR. TRUJILLO: We had to leave them up
20 until we got the -- V3 said, yep, we got whatever
21 we needed to do. And once they gave us the okay,
22 we had them taken down by the next week.

23 MS. STONER: Yeah. That was great.
24 Thank you. And then is there anymore news about
25 the property across the street from Krogers? Are

1 we going to be (inaudible).

2 MAYOR LAYTON: Linda and I met with
3 that guy. And there is going to be an auto parts
4 store in there. He's going to move his lawn mower
5 business down there and he has something else in
6 mind. But when we met with him he was talking
7 about single-family housing behind. Because behind
8 him is actually manufacturing, but it's adjacent to
9 the industrial park, but he was talking about
10 single family housing.

11 He had at that time, it's been a couple
12 of weeks ago, had a contract with a guy to come in
13 and try to negotiate and figure out what the best
14 option is for the property. But right now we do
15 know that he's going to move his lawn mower
16 business down there and Auto Zone -- no. Advance
17 Auto.

18 MR. TRUJILLO: It's Auto Zone.

19 MAYOR LAYTON: That's right. Advance
20 is across the street. I never understood why they
21 wanted to be beside each other.

22 MR. TRUJILLO: Any thought to several
23 businesses from coffee places to different
24 take-outs like Chick Fillet.

25 MAYOR LAYTON: His thought is to have a

1 restaurant, but it's going to be general retail.

2 MS. PORTER: I think that's on the
3 zoning agenda for the 6th. There is that and two
4 other items that are on the zoning agenda, and I
5 think that's one of them, changing the
6 manufacturing.

7 MS. STONER: So that will come before
8 Council, too, after zoning.

9 MS. PORTER: I would think so, because
10 that's the hearing.

11 MS. STONER: The other thing was -- one
12 thing that I don't think anybody mentioned but the
13 two meetings ago when we got the outline for the
14 corner project, who was that from and why did we
15 get it and why was it not emailed?

16 MAYOR LAYTON: I thought (inaudible).

17 MS. STONER: No.

18 DR. MOCKUS: I mean, it was dated July.

19 MS. STONER: It was dated July 26. I
20 mean, this would have been great information to
21 have prior to that meeting.

22 MAYOR LAYTON: Is that the one that
23 came in July?

24 MR. TRUJILLO: I believe so.

25 MR. NAUER: Yeah.

1 MR. TRUJILLO: Yeah. We got it that
2 day and you got it that day.

3 MS. STONER: But it wasn't emailed to
4 us. We've got members who are on Planning and
5 Zoning --

6 MAYOR LAYTON: We'll make sure you get
7 it, but I thought we gave everybody one in the
8 packet.

9 MR. WOLF: A carbon copy by email.

10 MS. STONER: Yeah.

11 MAYOR LAYTON: You didn't have it
12 electronically is the thing?

13 MS. STONER: Yeah. I mean, just so we
14 have it to look at prior to a meeting.

15 DR. MOCKUS: And was that written by
16 Jim?

17 MAYOR LAYTON: That was put together by
18 Jim.

19 DR. MOCKUS: Okay. Because it doesn't
20 have an author on it.

21 MS. STONER: Yeah. I was trying to
22 figure out who it was from.

23 MS. PORTER: That was the first piece
24 of (inaudible) that came the day of or a day prior
25 one of the two. It was very, very close and there

1 really was a representative of his positive
2 toward -- you have to wait to you get the whole
3 thing to get the summation and there was no offer.
4 So you just kind of had to determine who it came
5 from.

6 MS. STONER: And something else I want
7 to bring up in that same meeting, the time limit
8 for our residents to speak. That is something that
9 you set and we don't have any say in that.

10 MAYOR LAYTON: Remember --

11 MS. STONER: I just think they could
12 have longer.

13 MAYOR LAYTON: I remember the first
14 meeting we let them talk as long as they wanted.

15 MS. STONER: Right.

16 MAYOR LAYTON: The second meeting,
17 because we already discussed it thoroughly at the
18 first meeting -- but there's going to be new people
19 and in the interests of not being here overnight,
20 we wanted to limit it to two minutes. And most of
21 the time, if somebody still had something to say,
22 they had the opportunity to say it.

23 MS. STONER: Who's we?

24 MAYOR LAYTON: John and I.

25 MS. STONER: But we're Council. I

1 don't understand. I really have a problem with the
2 people that were out there who were upset and the
3 lady who left who wanted to say something else and
4 you --

5 MAYOR LAYTON: I stopped her for a
6 reason, because I gave her two minutes and I gave
7 her more than two minutes to start with and then
8 everybody --

9 MS. STONER: No, I don't think --

10 MAYOR LAYTON: Listen to me. Listen to
11 me.

12 MS. STONER: I can speak too because
13 I'm the one discussing it to you.

14 MAYOR LAYTON: Let me finish. Okay.

15 MS. STONER: Can I finish, please? She
16 spoke twice and she came up a third time and you
17 did not let her speak.

18 MAYOR LAYTON: Because she came up -- I
19 gave her two minutes to talk and then somebody else
20 talked, came up, and then somebody else talked and
21 wanted to come again. I didn't want to do that.
22 I'm not going to do that with everybody in the
23 room. We'd be here all night. Everybody had two
24 minutes at least and if they spoke longer -- Mike
25 McFarland, I knew when he started it was not going

1 to be two minutes. So he had the opportunity to
2 keep speaking and after about five minutes, I asked
3 him if he was close to being done. So that's how
4 we do it.

5 MS. STONER: But I'm still -- I mean,
6 you're not letting them speak. So they are leaving
7 here mad. You're just putting more fuel on the
8 fire. Do you know what I'm saying?

9 MR. NAUER: How much time do you think
10 they ought to have?

11 MS. STONER: It wasn't a good look. It
12 just wasn't a good look.

13 MAYOR LAYTON: How much time do you
14 think they should have?

15 MS. STONER: I need to listen to them.

16 MS. PORTER: The school board, to
17 inject another entity, I think is three minutes.

18 MAYOR LAYTON: You know, I think
19 everybody in the room had an opportunity for three
20 minutes. We didn't -- the only one I slowed down
21 was Mike because he was going off base there a
22 little bit but he -- you know. And I knew when he
23 got up there it was not going to be a two-minute
24 deal. There were several people that were more
25 than two minutes, but the idea is to control the

1 meeting. And that's our decision here.

2 DR. MOCKUS: So first of all, it is a
3 Council meeting, not a Mayor's meeting. You're
4 running the meeting and I would say this was our
5 opportunity to hear from the voters and residents
6 and tax payers. And if we wanted to hear more, we
7 should have been consulted on a time limitation. I
8 do not think it should be a unilateral decision by
9 the executive branch, what the legislative branch
10 will hear. And I'd be interested -- sorry to put
11 you on the spot -- is there precedence on this?

12 MR. UNTIED: It is a Council matter.
13 Moving forward I would recommend that Council
14 consider limitations for time. It's a matter of
15 reasonableness under the circumstances. But moving
16 forward if Council does intend or desire to
17 restrict or impose a time limit, where a time limit
18 is permissible by the Constitution -- has been
19 resolved a reasonable time restriction is
20 permissible but it is a Council matter. So if
21 Council wants to establish those guidelines whether
22 it's a standing matter or as more controversial
23 matters that are inclined to generate comment, they
24 can do that.

25 MS. PORTER: I'm always concerned about

1 the ripple effect because that, I thought, opened a
2 pretty negative way that she left. And I can
3 understand that. She wasn't quite through getting
4 the digs in, but that's her right to do that, too.

5 Whether we agree or not, is not the
6 point. But I think it presented or created grounds
7 for anger that is not going to go away. And if she
8 has friends, you can be sure it's going to go there
9 too and I'm not in the business -- I just don't
10 care to truncate somebody's idea, no matter if
11 they'd said it three times.

12 We're here, we're not going to be here
13 until midnight, and if I am, I am. So you know,
14 you signed on for the job, you get to listen. So I
15 don't have a problem with -- people can't sometimes
16 form their opinions or express it until they have
17 been talking for a minute. Well, that's 50 percent
18 of their time, and yeah, they're probably going to
19 talk about something that's already been addressed,
20 but they are our residents. If they want to talk,
21 hey, I'll be here to listen.

22 And I just feel that -- when I first
23 saw the time limit at the school board meetings, I
24 thought, wow, I've never used the time limit, never
25 been to one of their meetings, but it seems to me

1 that we're stifling opinion.

2 MS. STONER: Thank you, Annelle. And
3 as you can see tonight, there is really nobody
4 here. So a night when we do have people here, we
5 need to listen to them. That's all I have. Thank
6 you.

7 MAYOR LAYTON: Ms. Mockus?

8 DR. MOCKUS: I wanted to say that I've
9 heard a tremendous amount of positive feedback
10 about public works and how they stepped up this
11 past weekend. I didn't just hear it from people
12 working at the pie festival. Even Monday night at
13 the historical society meeting, I heard, wow, who
14 were those people running around in yellow vests?
15 They were so helpful. I just -- I really think
16 it's really important. I did email CJ as well and
17 I think it's important to say it and put it on the
18 record that they did an amazing job and just
19 regular Joe on the street noticed them and were
20 thankful for their help.

21 Have we made any progress or when will
22 we be making progress on doing some type of open
23 house or something for residents and then also for
24 business with the new fire?

25 MAYOR LAYTON: I discussed that with

1 the chief and we're going to get back together when
2 I get back from vacation.

3 DR. MOCKUS: Okay.

4 MAYOR LAYTON: I'll get Randy down
5 there, and we'll get something put together and let
6 everybody know what's going on.

7 MS. PORTER: I think, that a really,
8 really important step. We talked about it last
9 week. I was down there. They were in the process
10 of going through and cleaning everything and
11 finding out really what they had and what they
12 didn't have so he wants to get that done and I
13 think that's a good point, we need to do it.

14 MR. NAUER: It will take them a while
15 to get things --

16 MAYOR LAYTON: They want to get the
17 place straightened up first.

18 DR. MOCKUS: Yeah. I just want to make
19 sure we give plenty of lead time for advertising it
20 to really encourage folks to attend. That's all I
21 have. Thank you.

22 MAYOR LAYTON: Mr. Nauer?

23 MR. NAUER: I have nothing.

24 MAYOR LAYTON: Ms. Seymour?

25 MS. SEYMOUR: Yes. So I also, I mean,

1 I'm going to repeat it because I think it's very
2 important. All of the employees that helped -- it
3 was seriously amazing, and I think everyone had a
4 really good time at the pie festival. And all the
5 employees that helped and the police and the fire
6 and everyone was great.

7 And then about the residents and the
8 time limit, I can definitely understand where you
9 were coming from with setting a time limit, but am
10 going to agree that, you know, we are here and we
11 did sign up for this and we should be able to hear,
12 you know, everything they have to say even if it's
13 negative and even if we don't like it because I
14 know I didn't like most of it. I just don't like
15 negativity in general.

16 But because of what happened I was
17 kicked off of the Hebron Community Page which is
18 where I do get a lot of information from residents.
19 So thankfully, with the help of Valerie, I was able
20 to get back on there because she explained it to
21 the -- I keep trying to say patients, sorry,
22 residents

23 MAYOR LAYTON: Still working?

24 MS. SEYMOUR: Yeah, still at work. But
25 that, you know, if we do have that kind of time

1 limit and I'm not able to hear or, you know, we're
2 not able to hear the whole thing, at least we have
3 that page to help out. So it's very nice that she
4 was able to put me back on there so that I could
5 read more and hear more about how they felt.

6 So I mean, negativity is negativity and
7 positivity is positivity. Not all of it is going
8 to be positive, and I appreciate everyone's work on
9 Council and residents who voiced their opinion.
10 Even if we don't agree, and that's okay and that's
11 their opinion, then that's okay.

12 MAYOR LAYTON: Okay. Annelle?

13 MS. PORTER: No, I had nothing more
14 than what I've already said.

15 MAYOR LAYTON: Okay. The Mayor's
16 report is pretty limited. Tomorrow night is
17 Washington night. And I think, John, you and I and
18 who else?

19 MR. TRUJILLO: Annelle.

20 MAYOR LAYTON: Annelle is going.
21 You're going to Washington night?

22 MS. PORTER: Yes. I have signed up for
23 it but I have a conflict and if someone would like
24 to be me and go up there with my ticket --

25 MAYOR LAYTON: Basically, what it is,

1 is politicians come in and give their rundown of
2 the year and their forecast for the year.

3 MS. PORTER: So how much did it cost
4 per person from the Village?

5 MAYOR LAYTON: I'd have to go look. I
6 think it's \$60 for the meal or something.

7 MS. PORTER: And I have a paper.

8 MAYOR LAYTON: You went last year, the
9 last time we went.

10 MS. SEYMOUR: When is it?

11 MAYOR LAYTON: Valerie, you went --

12 DR. MOCKUS: Yep.

13 MR. TRUJILLO: We could find someone to
14 eat the food for you.

15 MAYOR LAYTON: Interesting to me --

16 MR. TRUJILLO: I said eat your food.

17 MS. PORTER: (Inaudible).

18 MAYOR LAYTON: It's interesting to me
19 because all of the politicians are there and you
20 get to see them and it's hard to get them all in
21 the same room.

22 MS. PORTER: So let me know, are you
23 just -- you can just do that? I don't have to --

24 MR. TRUJILLO: Yeah. We'll see if
25 maybe staff or someone can make it.

1 MS. PORTER: Okay. All right. Thank
2 you. I appreciate that.

3 MAYOR LAYTON: I think, that's probably
4 about all of my report. We got still -- there's a
5 lot of stuff going on, but John's talked about most
6 of it, and we're just going to keep plugging away.

7 MS. PORTER: I don't know what else a
8 person can do, keep chopping it down tree by tree.

9 MR. TRUJILLO: Oh, I did have -- we did
10 meet with one other developer, AE Homes. They're a
11 smaller group and they're looking at 125 homes out
12 here.

13 MS. PORTER: Yeah. So I kind of had
14 asked to be included on the original discussion to
15 see what kind of pie in the sky they were painting
16 for us. I have a real deep suspicion of all these
17 things that are wonderful.

18 MAYOR LAYTON: Well, this would just --
19 and he referenced a meeting by saying we haven't
20 got anything in place. This is kind of a
21 preliminary thing to see what you guys need from us
22 and we're looking at a couple different properties.

23 So they really haven't got anything in
24 place yet and he wanted to say as far as we're
25 concerned, at this point, we don't have any plans.

1 We have plans to try and do something but we don't
2 have any concrete -- we're not in a position to do
3 anything.

4 MS. PORTER: And they may turn out to
5 be your better bet rather than someone who just,
6 you know, throws out the plans like pancakes, you
7 know.

8 MAYOR LAYTON: Well, we made it very
9 clear to them, we had a zoning book and that's what
10 we want to try and stay close to.

11 MS. PORTER: I would think so.

12 MAYOR LAYTON: And the other thing is,
13 these guys all come in and they want to know how
14 many acres there are and what our zoning
15 requirements are as far as lot size and all of that
16 stuff. And then they go back and get their
17 calculator out and figure out if it's worth the
18 money to do it.

19 You know, he said they had a property
20 somewhere that they needed -- they had what, 20
21 acres or 10 acres or something like that to put 3
22 houses on. The houses had to be million dollar
23 houses to make a profit off of it. They was in the
24 right place at the right time.

25 MR. TRUJILLO: It was New Albany type

1 property.

2 MS. PORTER: Maybe someday we'll be
3 Hebron type property.

4 MAYOR LAYTON: I don't know.

5 MR. WOLF: Did it say where the 120
6 some homes are going to be?

7 MAYOR LAYTON: They haven't gotten a
8 property secured yet.

9 MR. TRUJILLO: Yeah, they don't have a
10 contract yet. So like many of them, they come in
11 and they look around.

12 MAYOR LAYTON: Everybody looked at this
13 property over here first, then they let us know
14 that they are trying to buy it, but I haven't seen
15 anything. I haven't heard anything yet. But
16 that's the first property they look at and there is
17 some other property out behind the industrial park,
18 the Watts farm. And what's the guys name at the
19 end of --

20 MR. TRUJILLO: White.

21 MAYOR LAYTON: White. That property,
22 they're going to look at that. So they're looking
23 around. I just read in the paper today that Intel
24 is bringing 7,000 people in. Some of them will be
25 from here, but obviously, some of them are going to

1 have to come from the outside.

2 Does anybody got anything else they
3 want to bring to the table? No visitor comments?
4 And everybody had the opportunity to review
5 expenses? Do we have to pay tonight or not?

6 MS. MORGAN: It's reviewing, there is
7 no review this month.

8 MAYOR LAYTON: Okay. I did sign them
9 all. So does anybody have anything else? I'm
10 listening.

11 MS. SEYMOUR: Motion to adjourn.

12 MAYOR LAYTON: Thank you, Paige.

13 MR. WOLF: Second.

14 MAYOR LAYTON: Mr. Wolf.

15 MS. FURBEE: Mr. Wolf?

16 MR. WOLF: Yes.

17 MS. FURBEE: Ms. Stoner?

18 MS. STONER: Yes.

19 MS. FURBEE: Dr. Mockus?

20 DR. MOCKUS: Yes.

21 MS. FURBEE: Mr. Nauer?

22 MR. NAUER: Yes.

23 MS. FURBEE: Ms. Seymour?

24 MS. SEYMOUR: Yes.

25 MS. FURBEE: Ms. Porter?

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MS. PORTER: Yes.

(MOTION APPROVED.)

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(Thereupon, the proceedings adjourned at 7:23 p.m.)

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