

RECORD OF PROCEEDINGS

Held _____

VILLAGE OF HEBRON
January 24, 2024
Council Meeting Minutes
(Immediately following Public Hearing)

This meeting was held remotely and in person.

CALL TO ORDER

Mayor Mockus called the meeting to order at 6:04pm

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Councilmembers in attendance: Council President Randy Wolf, Councilmembers Annelle Porter, Kenney Nauer, Stacy Stoner, and Andrea Chapman.

Others in attendance: Mayor Valerie Mockus, Village Administrator Jung-Han Chen, Chief Fiscal Officer Deborah Morgan, Economic & Community Development Director Brittany Misner, Water Superintendent Jason Figgins, Police Chief Larry Brooks, Police Lieutenant Richard Carson, Police Sergeant Anthony Oliver, Police Administrative Assistant Kathy Curtis, Village Solicitor Wesley K. Untied, Attorney Jarod Rose, and Clerk of Council/Administrative Assistant Christina Furbee.

Others attending remotely: None

Visitors in attendance: Jeff Johnstone, Kirsten Santos, E.J. Santos, Christy Brooks, Paula Greene, John Wooldridge.

ACKNOWLEDGE VISITORS

Mayor Mockus acknowledged the visitors in attendance.

NOTICE: MEETING DOCUMENTATION

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

APPROVAL OF MINUTES

December 27, 2023 Council Meeting
Mr. Wolf moved to approve the December 27, 2023 Council Meeting minutes as presented, seconded by Mrs. Porter. A roll call vote was taken with all councilmembers present voting in favor, except Mrs. Chapman who abstained.

January 10, 2024-Organizational Meeting
Mrs. Porter moved to approve the January 10, 2024 Organizational Meeting minutes as presented, seconded by Mrs. Chapman. A roll call vote was taken with all councilmembers present voting in favor.

January 10, 2024-Council Meeting
Mrs. Stoner moved to approve the January 10, 2024 Council Meeting minutes as presented, seconded by Mrs. Porter. A roll call vote was taken with all councilmembers present voting in favor.

January 17, 2024-Combined Council Committees Meeting
Mrs. Porter moved to approve the January 17, 2024 Combined Council Committees Meeting minutes as presented, seconded by Mrs. Chapman. A roll call vote was taken with all councilmembers present voting in favor.

OFFICER RYAN COLLINS OATH OF OFFICE

Mayor Mockus administered the Police Officer Commission and Oath of Office to Officer Ryan Collins.

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Police Chief Larry Brooks said Officer Ryan Collins previously worked for the Village of Hebron for 7 years and worked for the Licking County Sheriff's office for the last 3 years. He said the Hebron Police Department is glad to have him back.

Chief Brooks introduced Part-time Administrative Assistant Kathy Curtis. He and Mayor Mockus welcomed both new staff members.

VISITOR COMMENTS

None

LEGISLATION

Mayor Mockus read the titles of pending legislation.

ORDINANCE 01-24- AN ORDINANCE TO INCREASE THE CURRENT PAY RATE BY FIVE PERCENT 5% FOR ALL EMPLOYEES OF THE VILLAGE OF HEBRON, TO AMEND CONTRARY AND INCONSISTENT ORDINANCES BY REPEALING AND AMENDING PARTS THEREOF- **Second Reading**

RESOLUTION 24-01- A RESOLUTION APPOINTING MAYORAL REPRESENTATIVES FROM THE VILLAGE OF HEBRON FOR THE 2024-2025 TAX INCENTIVE REVIEW COUNCIL- **Second Reading**

ORDINANCE 02-24- AN ORDINANCE WHEREBY THE VILLAGE OF HEBRON, OHIO ESTABLISHES ITS MEETING DATES, TIMES, AND LOCATION AND AMENDS ORDINANCE 121.01 TO REFLECT THE SAME-**First Reading**

COUNCIL ACTION ITEMS

Executive Session

Mrs. Stoner moved to go into Executive Session pursuant to ORC 121.22(G)(2) to consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section 505.10 of the Revised Code, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest, at 6:14pm, seconded by Mr. Wolf. A roll call vote was taken with all Councilmembers present voting in favor.

Mr. Wolf moved to reconvene from Executive Session into regular session at 7:01pm, seconded by Mrs. Porter. A roll call vote was taken with all Councilmembers present voting in favor.

DEPARTMENT HEAD REPORT-Water Department

Water Superintendent Jason Figgins said his report was distributed to Council. He said water production for 2023 was 194,084,000 gallons. He said there has been a declining trend in the system from 2022 through 2023. His report included a graph reflecting how 2023 related to the 5-year average. He said he is working on an internal study to determine the reason for the decline, though he suspects it is relative to changes made in the utility billing system, resulting in corrected billing. He said he will have more information for Council in his next Department Head report.

Mr. Figgins said 762 Call Before You Dig (OUPS) tickets were responded to last year, along with 231 utility work orders, and 2 depressurizations.

Mr. Figgins said cyber security is an area of awareness that the Water Department is focused on. He said he wants to reassure everyone that Hebron's water system is as secure as possible and can stop 99.9% of incoming potential attacks. He said they are doing their best to mitigate potential risk.

Mrs. Porter asked if there is any indication why there was decreased production in 2023. Mr. Figgins said the utility billing system has been internally audited and corrected. Mayor Mockus said she is thankful cyber security is top priority and the Water Department is being proactive as possible.

Vacant Council position appointment

Mrs. Porter nominated Mr. John Wooldridge to fill a vacant position on Village Council, seconded by Mrs. Chapman. A roll call vote was taken with Mrs. Chapman and Mrs. Porter voting in favor, and Mr. Wolf, Mrs. Stoner and Mr. Nauer voting against. The motion failed.

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Mrs. Stoner nominated Kirsten Santos to fill a vacant position on Village Council. The motion was not seconded. The motion failed.

Village Solicitor Wesley K. Untied said Ohio Revised Code states if Council does not appoint a person to fill the vacancy within thirty days of the date the vacancy was created, the responsibility will fall upon Mayor Mockus to appoint someone.

Pulte request for Lakeland Meadows

Mrs. Misner said Pulte Group has requested another extension in order to work out all of the details of the Lakeland Meadows project. She said they will have a presentation for Council prior to voting on the rezone request, presumably at the February 28, 2024 Council Meeting. Mayor Mockus said developers want to mitigate risk in the process, so it is not unusual that they want to work out the details. She added that part of it is the Village of Hebron trying to work out details out with the developer.

Mrs. Misner said meetings of the rezone request will be open to the public and there will be opportunities for feedback once they are a part of the Council agenda.

Mr. Wolf moved to approve Pulte Group’s request for an extension until February 28, 2024, seconded by Mrs. Chapman. A roll call vote was taken with all Councilmembers present voting in favor.

Planning & Zoning recommendation for zoning amendments

Mrs. Furbee said Council is being presented with a recommendation from the Hebron Planning & Zoning Board at this meeting. She said the Hebron zoning manual states a Public Hearing must be scheduled within 45 days of receipt of the recommendation; therefore, the suggested date for the Public Hearing, aligning with the regularly scheduled Council Meeting, would be February 28, 2024. Mrs. Misner said Zoning Attorney David Mosher will be available to answer any questions anyone may have. Mayor Mockus said the zoning amendment requests come from resident requests and inquiries. Mr. Nauer asked if any of the items will be grandfathered in. Mrs. Misner said some of the items, such as farm animals, will require a permit, which will still allow them but with parameters in place.

Mr. Wolf moved to schedule a Public Hearing to review a Planning & Zoning Board recommendation for amendments to the Hebron zoning code on February 28, 2024 at 5:30pm, seconded by Mrs. Stoner. Mrs. Chapman asked if the information regarding the amendments will be available to the public. Mrs. Misner said copies can be provided upon request, and will be made available at the Hebron municipal building. She said they could possibly be made available on the website as well. A roll call vote was taken with all Councilmembers present voting in favor.

Recreational marijuana distribution moratorium

Mayor Mockus said the state of Ohio has passed legislation allowing residents to utilize marijuana in a recreational way. She said Hebron administration is interested in seeing how this will play out in other communities and how the state is interpreting the new law. She asked if Council is interested in considering a moratorium until more is known, such as what other local areas have done.

Village Solicitor Wesley K. Untied said Ohio Revised Code 3780.25 states the legislative authority of a municipal corporation may adopt an ordinance by majority vote to prohibit or limit the number of adult cannabis operators permitted, and it does not affect any existing cultivators. He said Chief Brooks indicated to his knowledge, there is not currently a cannabis cultivator in the Village of Hebron. Mr. Untied said many communities are placing a moratorium that they can choose to relax later, once the state gets more regulation in line, and a moratorium is permissible if it is the will of this Council.

Mr. Wolf asked about a vape store that recently opened in Hebron. Mrs. Misner said as of now, they are labeled a retail cigar shop.

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Attorney Jarod Rose said some municipalities contemplate that there will be a department of cannabis regulation that, per state statute, would have to be in place nine months after this law was enacted.

Mr. Wolf moved to direct the Village Solicitor to draft legislation for a cannabis prohibition until Council decides to lift it, seconded by Mrs. Chapman. A roll call vote was taken with all Councilmembers present voting in favor.

Council committee assignment revision
Mayor Mockus said in the previous Combined Council Committees Meeting, she discussed moving Councilmember Stoner from the Public Works committee to the Economic Development committee. She said her justification is wanting to have a strong Economic Development team, and Mrs. Stoner has experience in that with her time serving on Hebron Council .

Mrs. Chapman moved to approve amending the 2024 Council Committee assignments by moving Mrs. Stoner from the Public Works committee to the Economic Development committee, seconded by Mr. Wolf. A roll call vote was taken with all Councilmembers present voting in favor except Mrs. Stoner who abstained.

Village Administrator residency requirement
Mayor Mockus said it has been a long standing tradition and part of the Village Administrator job description, requiring the Village Administrator to reside within the Village of Hebron. She asked Council to consider removing that requirement for Mr. Chen and possibly all Village Administrators going forward. She said the Village searched widely to fill the position and wanted to bring in the best talent. She said there were applicants from many different states.

Mr. Untied provided the history of the law regarding this requirement. He said in the current state of the law, the requirement probably does not need to be in place. Mr. Nauer said only a couple Village employees live in the Village of Hebron now.

Mrs. Porter moved to remove the requirement for Village Administrator Jung-Han Chen to reside within the Village of Hebron, seconded by Mrs. Stoner. A roll call vote was taken with all councilmembers present voting in favor.

Mrs. Porter moved to direct the Village Solicitor to draft legislation to amend the requirement for any Village Administrator to reside within the Village of Hebron, seconded by Mrs. Chapman. A roll call vote was taken with all Councilmembers present voting in favor.

Transportation Alternative Program (TAP) application

Mr. Chen said the Ohio Alternative Transportation Program is providing funding for projects defined as transportation alternatives that include on- and off- road pedestrian and bicycle facilities, projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and environmental mitigation; recreational trail program projects; and safe routes to school projects. He said the Staff, through the comprehensive plan process, identified that we need to address these connectivities. He said the application has two components:

1. A sidewalk connection from US 40, taking the existing path to the water tower and connecting to the Greenbriar mobile home park, which will set the stage for a future connection to Capital Drive, which will provide a sidewalk connection for industrial employees in the future.
2. Creating a bicycle facility, connecting Ohio Greenway Canal to Canal Park along the east-west ditch way, connecting to the existing sidewalk, and replacing the bridge across from the ditch. He said this will also create a connection from the bike path to the softball field.

Mr. Chen said the application deadline is January 31st and typically, there is a 5% local match. He said 5% is \$100,000, but there is a high probability it may be covered by an Ohio Safety Grant. He said we should hear back from ODOT by March or April of this year but the project will not be funded until 2026-27.

There was some discussion about the location of a walkway and ownership of certain property. Mr. Nauer said some of the area is subject to flooding.

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Mrs. Chapman moved to approve submitting an application for Ohio Transportation Alternative Program (TAP) funding, seconded by Mr. Wolf. A roll call vote was taken with all Councilmembers present voting in favor.

ADMINISTRATOR’S REPORT

Village Administrator Jung-Han Chen said Councilmembers received 2024 River Round Up poster contest fliers. He said the Licking County River Round Up event will take place on September 27th this year. He said the Village has been discussing ways to market this event with the Licking County Soil and Water department, to bring in more volunteers.

Mr. Chen said the Village advertised to fill a fulltime laborer position in the Public Works department, as a staff member resigned after the new year. He said the Village has currently received over 80 applications and the deadline to apply is this Friday.

Mr. Chen said he attended a meeting with the Licking County Planning Department Community Development Block Grant coordinators who came to discuss two funding projects for the Village. One is CDBG funding for improvements- repairing culverts at Broadway and Sugar Streets, and the second is for a flood improvement program.

Mr. Chen said the Village is currently working with the Army Corps of Engineers to do water modeling and addressing stormwater issues.

COUNCILMEMBERS’ REPORTS

Mr. Wolf said Mrs. Misner sent out a reminder about the Licking County Groundhog Breakfast. Mrs. Misner said the Village purchased two tables and there are still 1-2 seats available.

Mrs. Stoner said there have been problems before with the garbage at the apartments on Canal Road. She said she saw mattresses and a couch out there today. Mrs. Misner said there is a new management company and they have made some progress but she will reach out to them to ask them take care of that immediately.

Mr. Nauer said the West Licking Fire District had a total of 8,565 runs last year. Of those, 524 runs were in the Village of Hebron.

Mrs. Chapman asked about a traffic light in front of the Speedway gas station on SR 79. Mr. Chen said the responsibility for that light would belong to the Ohio Department of Transportation. Mrs. Chapman asked if the Village can contact ODOT, as the light is pointing the wrong direction due to a recent wind storm. She said the light on the west side should be facing east. Mrs. Porter said there were also some damaged signs in front of businesses, caused by the wind storm.

Mrs. Porter said a Public Works committee meeting was held last night. She said a large part of the discussion was about park usage. She said some of the parks updates included paving the walking path at Evans Park, and a parking issue at Canal Park seems to have been alleviated. Mrs. Porter said she sees many people utilizing the parks. She said the Public Works Superintendent was told a light is out at the park and she is sure it will be fixed.

MAYOR’S REPORT

Mayor Mockus said in response to Mrs. Stoner’s concern about moving speed monitoring devices, Chief Brooks is working with the Public Works Superintendent to put together a plan for upcoming locations.

VISITOR COMMENTS

Kirsten Santos, 104 s. 5th St, thanked Council for reviewing her letter of interest and resume for the Council vacancy, and for taking time to interview her. She said she gained a lot from the experience, and she looks forward to serving the community in other ways.

REVIEW OF EXPENSES

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

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MEETING/EVENT SCHEDULE

February 5, 2024-6pm, Planning & Zoning Meeting, Council Chambers
February 8, 2024-6pm, Hebron Park Users Meeting, Council Chambers
February 14, 2024-6pm, Council Meeting, Council Chambers
February 19, 2024- CLOSED for Presidents' Day
February 21, 2024-6pm, Combined Council Committees Meeting, Council Chambers
February 28, 2024-6pm, Council Meeting, Council Chambers

Mr. Nauer said a lot of dirt has been hauled around in the Village lately. Mr. Chen said the dirt came from Cumberland Meadows and it will be used throughout the Village.

ADJOURN

Mr. Wolf moved to adjourn the meeting at 7:19pm, seconded by Mrs. Porter. A roll call vote was taken with all councilmembers present voting in favor.

Attest:

Deborah Morgan
Deborah Morgan, Chief Fiscal Officer

Valerie Mockus
Valerie Mockus, Mayor