

RECORD OF PROCEEDINGS

Minutes of Meeting

BARRETT BROTHERS

Form 6101

Held

**VILLAGE OF HEBRON
COUNCIL MEETING MINUTES
May 25, 2022
6:00 p.m.**

This meeting was held both remotely and in person

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Layton asked everyone to join in the Pledge of Allegiance and a moment of silence to remember Private Robert Frakes who served with Mayor Layton in Vietnam and was killed the day before the cease fire was ordered.

ROLL CALL

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

Mayor Layton said Councilmember Rich Moore was excused from this meeting.

Others in attendance: Mayor James Layton, Village Administrator John Trujillo, Village Solicitor Wesley K. Untied, Village Fiscal Officer Deborah Morgan, Community Development/Stormwater Coordinator Linda Nicodemus, and Clerk of Council/Administrative Assistant Christina Furbbee.

Visitors: Randy Wolf, Andrea Chapman, Jarod Rose, Cliff Ward & Family, Clifford & Rose Mason, Girl Scout Troops 2030 & 7626, Marc Weekley, Rick Stoner, Mike Brennehan

Remote Visitors: Chris Clancy

ACKNOWLEDGE VISITORS

Mayor Layton acknowledged the visitors in attendance and said he will allow time for visitor comments later in the meeting.

NOTICE: MEETING DOCUMENTATION

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

CERTIFICATE OF RECOGNITION-GIRL SCOUT TROOPS

Mayor Layton read Certificates of Recognition and presented them to Girl Scout Troops 2030, 7626 and 7509. He thanked them for their hard work cleaning the parks in Hebron.

DEPARTMENT HEAD REPORT-Community Development/Stormwater Coordinator

Community Development/Stormwater Coordinator Linda Nicodemus said she submitted her April report to Council at the beginning of May. She discussed Hebron projects and provided updated Stormwater Management regulations. Mrs. Nicodemus said she received a new permit from the EPA and every time a new permit is issued, the Stormwater regulations have to be updated. She noted the Village of Hebron is in contract with Licking County, so their plan is our plan.

Stormwater Regulations

Mrs. Nicodemus said she would like Council to consider making a motion to draft an ordinance adopting the updated Licking County Management plan. She said the plan updates every five years, and Beverly Adzic from the Licking County Commissioners' Office said since we have been with the consortium since its inception, when Licking County updates and adopts, we can have it set up so that it automatically updates if Council wishes.

Dr. Mockus moved to direct the Village Solicitor to draft legislation to adopt the Licking County Stormwater Management Program and participate in the Licking County Consortium, to be reviewed in 5 years, second by Mrs. Stoner.

Dr. Mockus asked if any public hearings are required. Mrs. Nicodemus said no public hearings are required. Mayor Layton said the information will be published on the Village website and a paper copy will be kept at the Municipal Building for viewing at the public's request. Dr. Mockus asked Mrs. Nicodemus if there is anything that she feels needs attention, or that residents may be upset about. Mrs. Nicodemus said no, and residents will be happy that more tests and investigations will take place. Mr. Trujillo asked Mrs. Nicodemus to speak about youth education. Mrs. Nicodemus said Lakewood first graders came to visit the Village of Hebron Municipal Building and Madison with the Licking County Soil and Water Department taught

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them about stormwater runoff via a simulation project using an Enviroscape. Dr. Mockus asked about the cost of implementing the plan and if it is in the budget. Mrs. Nicodemus said there is money in the budget for training and for the consortium fee. She said the Village can do its own testing.

A roll call vote was taken with all Councilmembers present voting in favor.

Mrs. Nicodemus said the Zoning Department has issued nine zoning certificates so far and has twenty-four new code enforcement cases. She said Exterior Property Maintenance Code first notices went out in the mail, and final notices went out via certified mail with return receipt. There was some discussion about the process for high grass issues.

Mrs. Seymour asked about a house on E. Main Street. Mrs. Nicodemus said the Village is watching them. She said the Zoning Department has divided the Village into sections and will use the map as a tool for focusing on zoning and Exterior Property Maintenance Code issues. She said she will share the map with Council.

Dr. Mockus asked about a resident who made a complaint about a property and is now on the violation list. She said she is concerned about the appearance of retaliation. Mrs. Nicodemus said a complaint was received regarding debris and a home occupation. Mrs. Nicodemus noted several communications with the resident. Dr. Mockus said she wants the Village to be careful and sure about properties they are investigating. She suggested noting in the Community Development report that the investigation is in response to a resident's complaint so that Council is aware in case they are approached.

Mrs. Nicodemus said the Village received a new application for annexation and three ordinances relative to this request were placed on tonight's agenda. She said the newest ordinance regarding a buffer zone is included because the new owner is not sure how he would like the property to be zoned. Attorney Jarod Rose said Ohio Revised Code 709.023(C) requires a buffer zone to be established for a Type II annexation if the property that is to be annexed changes the zoning and it allows uses that otherwise would not have been permitted when the property was in the Township.

Mrs. Porter asked why the legislation is presented as an emergency? Jared said it is presented as an emergency due to time constraints. He said Ohio law requires a services ordinance, consent ordinance and buffer zone ordinance to be passed within twenty days of an annexation being filed-and it was filed on Thursday, May 19. Mrs. Nicodemus said as soon as the Village received the information, the legislation was added to the Combined Council Committees Meeting agenda, but she was not aware of the buffer zone legislation, so it was added later.

Dr. Mockus said generally, the Village would be in favor of annexation. She said her concern is that citizens would not have an opportunity to address the issue. She asked Mrs. Nicodemus to speak a bit to the location of the expansion of the Village. Mrs. Nicodemus said this property surrounds the Nadolson property that is also being annexed. She said it runs from the bottom of Arrowhead Drive, along the river, so our boundaries would expand to the river and the bridge on the South side except for one parcel that belongs to Mr. Mike Breneman.

Mike Breneman, 118 Evan Court, Heath, said he owns a business on National Road and is an investment partner on a property across from the Hebron Kroger, and they are working with Hebron on the development of that property.

Mr. Breneman said he purchased a 10-acre property west of his business and hired a company that will give a good conceptual plan for the entire area. He said he is looking at zoning options that would best serve the community.

Mrs. Porter said she is not comfortable with emergency legislation unless it is absolutely necessary. Mr. Rose said if the concern is annexation as a whole, there are two other ordinances that would allow more time to address comments and concern, but these two pieces of legislation have to be passed within 20 days of when it was filed. There was discussion about emergency legislation, the state statute process, and the consequences of not passing the legislation within that time frame.

Mrs. Nicodemus said the South Licking Watershed Conservancy District had a stakeholders meeting last night in the Hebron Council Chambers. She said there were about 60 people in attendance and they discussed a grant that was received to put together a new plan. She said the current plan is from the 1980s and a lot has changed since that time so a review and study

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need to be done and they are asking citizens to be a part of this process. Mrs. Nicodemus said the last time this was attempted, it was met with such opposition that the conservancy district dissolved, and nothing was done due to lack of funding.

Mrs. Nicodemus said when the Conservancy District came back into effect with all of the flooding, the Conservancy Court gave directives:

- 1) Get communities and people involved in the watershed and help them to understand what it is and what a conservancy district can do for them
- 2) Update our plan. Mrs. Nicodemus said they started with a \$4,000 budget and began applying for grants. She thanked the Village of Hebron and other entities for providing letters of support. She said two public community meetings have been held and they are still asking for public input so that all of the issues can be added to the plan.

Mayor Layton said Kari from MS Consultants is working on getting FEMA BRIC (Building Resilient Infrastructure and Communities) grant funding to build a causeway on I-70 to get it up out of the water. Mrs. Nicodemus said the County Commissioners are funding a 2-D model that will assist in gaining points on the grant application.

Mrs. Nicodemus said the Village applied for FEMA funds for the flood culvert on Hamilton Avenue and a retention basin at Canal Park. She said it was not approved to go on to the next stage of the application process, but we were encouraged to apply in August and make the project more wide-spread to help Hebron with flooding throughout, not just in one area. Mrs. Nicodemus said based on the flood study, she would like to fill out the pre-application and put in all of the undersized culverts through Hebron on the east side, as well as Hamilton Avenue, a retention basin, and possibly the flood bypass channels that V3 Companies addressed in the flood study.

Mayor Layton asked what the Village's responsibility would be for a BRIC grant. Mrs. Nicodemus said the Village's portion would be 25% and in-kind work and supporting grants are permissible, as long as they are not federal grants.

APPROVAL OF MINUTES

April 27, 2022-Council Meeting

Mrs. Seymour moved to approve the April 27, 2022 Council Meeting minutes as presented, second by Mr. Nauer. A roll call vote was taken with all Councilmembers present voting in favor except St who abstained.

May 11, 2022-Special Council Meeting

Dr. Mockus moved to approve the May 11, 2022 Special Council Meeting minutes as presented, second by Mrs. Seymour. A roll call vote was taken with all Councilmembers present voting in favor.

VISITOR COMMENTS

Andrea Chapman, 408 E. Main St, Hebron said she wanted to talk about the East Main Street retention pond basin. She said her property gets water runoff from all directions except for SR 40. She said the water from Broad Street goes down to into a drain that is not working, then Broad Street overflows and goes down into the two rentals on 5th Street which fills up their basements and crawl spaces and then fills Mrs. Chapman's yard. She said she's lived there about 30 years. In the first 28 years, they have flooded 3 times and had to pump a few times. This year, she said they have pumped 4 times to keep water out of the garage. She said with the last hard rain, her neighbor pumped all night to keep water out of her house. Mrs. Chapman said she is not asking for anything new, but could we make what is already in place work.

Dr. Mockus said a culvert that crosses Parks Avenue was plugged. She said it has been cleared, but water now moves more readily and floods down the way. Mayor Layton said the Public Works Superintendent will look at it to see what the possibilities are.

Clifford Mason, Dennison Street, said he is not sure what the next step is in discussing Fire District options. He said he read Union Township's meeting minutes from mid-April and it seems there is still a lot of confusion about what will happen to both entities (the Village of Hebron and Union Township) with respect to West Licking Fire District. He encouraged Council to sit down

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and talk to Union Township Trustees to see if there is anything that can be worked out so that if the Fire District does dissolve, the Fire Department can be managed by both the Village of Hebron and Union Township. He said he read a letter from Captain Ryan Wyse that noted a couple options. Mr. Mason said there is an opportunity to go back to a Hebron Fire Department and he is convinced that it can be funded by the residents of Hebron in an amount that is acceptable to the residents. He encouraged all to consider the options.

LEGISLATION

RESOLUTION 22-05 - A RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2022- Third Reading

Mrs. Porter moved to adopt Resolution 22-05 as presented, second by Dr. Mockus. A roll call vote was taken with all Councilmembers present voting in favor.

RESOLUTION 22-06- A RESOLUTION AUTHORIZING THE VILLAGE OF HEBRON TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE LICKING COUNTY HEALTH DEPARTMENT-Third Reading

Mrs. Porter moved to adopt Resolution 22-65 as presented, second by Dr. Mockus. A roll call vote was taken with all Councilmembers present voting in favor.

ORDINANCE 05-22- AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE HEBRON CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY-Third Reading

Mrs. Porter moved to adopt Ordinance 05-22 as presented, second by Mrs. Stoner. A roll call vote was taken with all Councilmembers present voting in favor.

ORDINANCE 09-22-An ordinance indicating what services the Village of Hebron will provide to the property to be annexed as per the petition filed by Connie J. Klema, Agent for the Petitioners, and declaring an emergency-First Reading

Mrs. Seymour moved to suspend the readings of Ordinance 09-22, second by Dr. Mockus. Mrs. Nicodemus said this legislation is presented as an emergency to meet Ohio's 20-day requirement. Mrs. Porter said she does not want to be perceived as not being receptive to the annexation, but she feels as an individual and collectively as a Council, the opportunity to read the legislation and consider it has not been given. She questioned if the emergency language is necessary. Dr. Mockus said state legislature created this rule and Council will face this every time there is an annexation request. She said the Village has a lot of opportunities to offer and is ripe for annexation, especially with Intel coming in.

Mayor Layton said if there were no other options for citizens to make comments, he would agree. Mrs. Nicodemus said it was presented to Council as soon as possible, except for the last ordinance that she was not aware was needed. Mrs. Porter said if she votes for this, she does not want to see it happen again as she is not comfortable with it. Mayor Layton said he would feel the same way if we did not have two more opportunities for the public to voice any concerns they may have. Mrs. Stoner said if the legislation is not passed, the Village will miss the 20-day deadline by one day, and we don't want to miss an opportunity for annexation. Mrs. Nicodemus said she has conversations with people about wanting to annex, but it is just talk until it is officially filed. Mrs. Porter said she still objects to the emergency part of the legislation, but she can support it as she does not want to hold onto something that may be an opportunity. A roll call vote was taken with all Councilmembers present voting in favor.

Dr. Mockus moved to adopt Ordinance 09-22 as presented, second by Mrs. Stoner. A roll call vote was taken with all Councilmembers present voting in favor.

ORDINANCE 10-22-An ordinance consenting to an Expedited Type II Annexation Petition filed with the Board of Licking County Commissioners by Connie J. Klema, Agent for the Petitioner-First Reading

Mayor Layton said the agenda for this meeting was posted in all designated public places so the public was made aware that annexation would be discussed tonight. He asked if anyone in the room had any concerns. No concerns were stated. Mayor Layton asked if Council would consider suspending the readings for this ordinance.

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Dr. Mockus moved to suspend the readings of Ordinance 10-22, second by Mrs. Stoner. A roll call vote was taken with all Councilmembers present voting in favor.

Mrs. Seymour moved to adopt Ordinance 10-22 as presented, second by Dr. Mockus. A roll call vote was taken with all Councilmembers present voting in favor.

ORDINANCE 11-22- An ordinance establishing a buffer zone for the properties known as 073-329550-00.002 and 073-335640-00.000 upon the effective date of its annexation and potential rezoning into the Village of Hebron and declaring an emergency-First Reading

Mrs. Stoner moved to suspend the readings of Ordinance 11-22, second by Dr. Mockus. A roll call vote was taken with all Councilmembers present voting in favor.

Dr. Mockus moved to adopt Ordinance 11-22 as presented, second by Mrs. Porter. A roll call vote was taken with all Councilmembers present voting in favor.

Village Solicitor Wesley K. Untied said in an ideal world, the Council for the Petitioner would coordinate efforts with Village Administration to allow for at least two readings of legislation, but that is not always how it works out. He said the second issue that Dr. Mockus was alluding to is, notwithstanding courtesy and diplomacy that they do coordinate due timely, we will still have to suspend at least one, if not two, readings to meet that timeline because (with the regularly scheduled meetings) there is no way to do three readings in twenty days. Mrs. Porter said suspending the readings is different from emergency language.

Mr. Untied said suspending the rules takes 5 of the 6 Council votes (and is effective after thirty days). Emergency treatment means that when that legislation is passed, no matter the number of readings, it is effective immediately. He said the hope is that going forward, the petitioner's party will try to work with the Village to allow at least two readings, knowing that as a legislative body, at least one reading will still need to be suspended.

COUNCIL ACTION ITEMS

Councilmember Resignation Letter

Mayor Layton said Councilmember Rich Moore submitted a letter of resignation from Village Council, for health reasons.

Mrs. Porter moved to accept a letter of resignation from Councilmember Rich Moore as presented, effective June 1, 2022, second by Mr. Nauer. A roll call vote was taken with all Councilmembers present voting in favor.

PROCLAMATION-COUNCILMEMBER RICH MOORE

Mayor Layton said Mr. Moore was unable to attend tonight's meeting, but he will still read the proclamation for the record. Mayor Layton read the proclamation for Mr. Moore.

Fire Discussion

Mayor Layton said the Village had a meeting with West Licking Fire District and talked about issues that have been raised. He said they are putting together a new proposal, to address the issues. He said one issue that has been raised is not wanting to lose the Fire Department. He said the bond company strongly encouraged the Village to maintain control of the Fire Station building and equipment and lease it to West Licking Fire District. Also, there have been concerns about coverage and staffing. The West Licking Fire District said they will bring in a truck from another station when needed and they will start with three Firefighters on staff at the Hebron station with a goal to move to five in the near future if the numbers meet their standards. Mayor Layton said West Licking Fire District will make a lateral transfer for all Hebron Fire District employees who want to work there, and if someone does not meet their standards, they will work with them to help them meet the standard; and if an employee needs to become a paramedic, they will have an opportunity to do so within three years.

Mayor Layton said in order to get the taxes switched over to West Licking Fire District if that's what Hebron chooses, it would have to be done soon. He said Hebron has set a goal of August 15th for this if we choose to go that direction. He said that time frame would include allowing citizens the opportunity to comment over three readings of the legislation, so the process would need to be started at the next Council Meeting.

Dr. Mockus moved to direct the Village Solicitor to draft legislation authorizing the Village of Hebron to enter into an agreement with West Licking Joint Fire District for Fire and EMS services pending Council approval to meet the necessary time frame, second by Mrs. Porter. Mayor

Held

Layton said this will allow Council to read over West Licking Fire District's proposal and decide if they approve, and citizens will have the ability to make comments as well. A roll call vote was taken with all Councilmembers present voting in favor.

Mrs. Seymour asked if the Village could try to set up a meeting with Union Township before the June 8th Council Meeting. Mayor Layton said he cannot get a response from Union Township but he will try, and maybe someone else could try to reach out as well and he will invite everybody to come to that meeting.

ADMINISTRATOR'S REPORT

Village Administrator John Trujillo distributed his report and said he and Mayor Layton met with Grow Licking County and the Heath-Newark-Licking County Port Authority at Seminary Ridge to look at a potential space for Project Outlander. He provided a packet to Council that the Village submitted to Project Outlander. Mayor Layton said they are a chemical manufacturer for Intel, looking for 30 acres for 35 fulltime employees and it is up to the Port Authority to decide whether to accept them or not.

Dr. Mockus made some suggestions for the packet Mr. Trujillo provided. Mr. Trujillo encouraged Council to send in suggestions for updates.

Mr. Trujillo said the Village met with MI Homes and Puite to discuss what land is available in Hebron and what they are looking to do. He said a meeting is scheduled with Rockford Homes as well. He added Dr. Gleichau, Lakewood Schools Superintendent, will submit a letter stating the school needs more students.

Andrea Chapman said there was an article in the newspaper about New Albany. She said she read that New Albany wanted each development to have greenspace, so they implemented that standard. She suggested the Village consider doing something similar. She said all the housing developments are now developed and have parks, and now they are connecting those parks from each development with bike paths. Mr. Trujillo said the contractors have said that they would like to see greenspace and walking paths. He said everything is included in a master plan and the developers come and build their sections, with a mix of homes based on the customer's zoning needs.

Mr. Trujillo said interviews were held for Fulltime laborers for the Water, Water Reclamation and Public Works Departments. He said background checks and drug testing were completed and offer letters were given to Derek Allen and Kyle Cooperider for the Public Works Department, and we just received Devin Adkins' documents for Water Reclamation so he will start after giving his employer a two week notice. Mr. Trujillo said the Water Department candidate has not responded so the Village may have to re-advertise for the position. He said one seasonal position has been filled and ads will be published for two more seasonal positions.

Mr. Trujillo said the Village will have an employee luncheon on Friday, May 27th at 11:00 at the Public Works Facility. He said we will try to have a luncheon each month during the summer.

COUNCILMEMBER'S REPORTS

Mrs. Seymour asked about the Council vacancy. Mayor Layton said the Village will advertise for letters of interest. He said if Council does not appoint someone in 30 calendar days from Rich Moore's effective date of June 1st, he will appoint someone. Council decided the cutoff date to receive the letters of interest should be June 8th and discussed where to publish the ad.

Dr. Mockus said a resident complained about early morning noise from refuse hauling trucks at the recycling bins at Canal Park. Mr. Trujillo said we will discuss the issue with Licking County Recycling.

Mayor Layton said it is time for the Village to rebid for refuse hauler services. Mr. Trujillo said the Village is asking for recycling to be included in the base bid.

MAYORS REPORT

Mayor Layton said he has attended many recent meetings.

He said the proposed new transportation service is exciting. He said the Licking County Area Transportation Study (LCATS) paid to have the study done and will have to find funding for the project.

Mayor Layton said Lakewood Schools is one of the few areas that has room in its schools. He said various housing builders are looking into the Hebron area, and the Industrial Park is full, so overall we are in good shape.

RECORD OF PROCEEDINGS

Minutes of _____ Meeting

BARRETT BROTHERS

Form 6101

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REVIEW OF EXPENSES

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

VISITOR COMMENTS

None

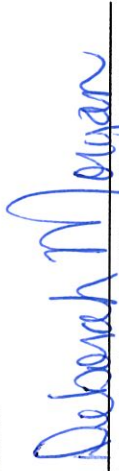
MEETING/EVENT SCHEDULE

May 30, 2022-CLOSED for Memorial Day
June 1-5, 2022-National Road Yard Sales, Village of Hebron
June 6, 2022-6:30pm, Public Hearing & Planning & Zoning Meeting, Council Chambers
June 8, 2022- 6pm, Council Meeting, Council Chambers
June 15, 2022-6pm, Combined Council Committees Meeting, Council Chambers
June 22, 2022-6pm, Council Meeting, Council Chambers
June 28, 2022-6:30pm, S. Licking Watershed District Meeting, Council Chambers

ADJOURN

Dr. Mockus moved to adjourn the meeting at 8:23pm, second by Mrs. Seymour. A roll call vote was taken with all Councilmembers present voting in favor.

Attest:


Deborah Morgan, Village Fiscal Officer


James Layton, Mayor