

**VILLAGE OF HEBRON
COUNCIL MEETING MINUTES
OCTOBER 12, 2022
6:00 PM**

This meeting was held both remotely and in person.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

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

ROLL CALL

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

Others in attendance: Mayor James Layton, Village Administrator John Trujillo, Village Solicitor Wesley K. Untied, Attorney Jarod Rose, Village Fiscal Officer Deborah Morgan, Utility Billing Coordinator Kellsei Boyce, and Zoning Assistant Bonnie Miller.

Visitors in attendance: Catie & Trevor Kline, Bruce Freeman

Remote Visitors: Clerk of Council/ Administrative Assistant Christina Furbee

ACKNOWLEDGE VISITORS

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

NOTICE: MEETING DOCUMENTATION

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

APPROVAL OF MINUTES

8-17-22 Council Combined Committee Meeting

Mrs. Seymour moved to approve the August 17, 2022 Combined Council Committees Meeting minutes as presented, second by Dr. Mockus. A roll call vote was taken with all Councilmembers present voting in favor.

8-24-22 Council Meeting

Dr. Mockus moved to approve the August 24, 2022 Council Meeting minutes as presented, second by Mrs. Stoner. A roll call vote was taken with all Councilmembers present voting in favor.

9-28-22 Public Hearing

Mrs. Seymour moved to approve the September 28, 2022 Public Hearing minutes as presented, second by Dr. Mockus. A roll call vote was taken with all Councilmembers present voting in favor.

9-28-22 Council Meeting

Mr. Wolf moved to approve the September 28, 2022 Council Meeting minutes as presented, second by Mr. Nauer. A roll call vote was taken with all Councilmembers present voting in favor.

VISITOR COMMENTS

Caty Kline said she and her husband Trevor Kline, 424 E. Cumberland Street, are here at this meeting because they and other homeowners on their street applied for a variance but it was denied in June on the requirements that the catch basins would be moved further onto their property to allow the sidewalks to be between certain areas. She said last week, Public Works Superintendent CJ Ward appeared at their home and he said that it appeared to be a bigger project than he anticipated. She said she reminded him that they all have concrete driveways and hers is a heated driveway. She said she obtained a quote and the company felt that if their driveway were to be cracked or need repaired, their garage floor would also have to be torn up and they quoted about \$100,000 and prices are going up. Mrs. Kline said she called Mr. Ward today and he told her that he and Village Administrator John Trujillo decided that the drains would not be moved and the sidewalk will now be placed twelve feet into her yard. Mrs. Kline said based on the agreement from the Zoning Board, that was not part of the agreement of denying their variance. Mrs. Kline said she has the meeting minutes where Mr. Ward stated that their property would flood if the storm drains were not moved and the sidewalk was placed between their house and the storm drains. She said Mr. Ward also stated the sidewalk would be twelve feet into their yard to match where the Malowski's part of the sidewalk is. She said the existing sidewalk is a small 12x12" circle. Mrs. Kline provided pictures and said the other part of their neighbor's sidewalk leads up to their garage, so it appears to be more of a service walk than a sidewalk. She said she has a video of the existing sidewalk from E. Cumberland Street but it is not walkable so it is not a safe pedestrian sidewalk. She said the main reason they are here tonight is because the stipulations of their variance request have now changed so they need to see what they need to do going forward. She said based on her conversation with Mr. Ward, it appears he does not want to cost the Village thousands of dollars because her neighbor, Mr. Freeman, also has a concrete driveway that would need to be torn up and redone. Mrs. Kline said they live on a No Outlet street so this sidewalk would lead to nowhere. Mrs. Kline said they left their home on E. Main Street because it floods and they built a \$500,000 home in Hebron because they love Hebron and put a lot of money into ensuring their home would not flood, and they are now worried about that. Mayor Layton said he will talk to Mr. Ward and find out where we are with this and go back and revisit the zoning. Dr. Mockus asked for clarification that the issue will not progress until it is revisited with Council. Mayor Layton concurred. Mayor Layton said

no, we will determine where we are with it and discuss it with the Zoning Board. He asked the Village Solicitor if the Village needs to do anything because a decision was already made. Mr. Untied said as long as there is an understanding that nothing is going to happen in the meantime, then we can take it under advisement and deal with the process and procedure.

Bruce Freeman, 408 E. Cumberland Street, said he just wants to be heard and at least have it looked at again.

Mrs. Seymour asked how long the sidewalk issue has been going on. Mr. Kline said June 27th was when the variance request was denied under the premise that the storm drain be moved and they have a year from that date to have the sidewalk put in. Mrs. Klein said the first hearing for the variance request was on June 6th.

Mrs. Kline said she did a public records request from Mrs. Nicodemus, and all four of the new builds were approved without a sidewalk in any of the plans. She said she contacted Heath, Granville and Johnstown who require sidewalks and they said they do not approve any plans without a sidewalk in their drawings.

DEPARTMENT REPORTS- Utility Billing Coordinator

Utility Billing Coordinator Kellsei Boyce said the Village's new software allows for easy online payments and there are double the amount of people paying online than before. She said there are more people taking advantage of paperless billing, and they can sign up through the portal and view invoices online. She said she continues to monitor the Critical Consumption Report and if a leak is detected, she calls the customer and leaves a message if it goes to voicemail. She said Water Superintendent is also notified if a leak is detected. Ms. Boyce said she runs monthly reports and applies penalties after the due date. She said there are typically about six shut off letters sent out every month and they are usually paid within the timeframe so there are no shut offs. She uses the end of the month's reconciliation report to balance. She said at this time, there are 78 Commercial accounts, 46 Industrial accounts, and 777 Residential accounts with anticipated growth. Ms. Boyce said typically she typically bills and receives between \$220,000-\$250,000 a month. Dr. Mockus asked if there is a sense of what percentage of customers are paying online. Ms. Boyce said Invoice Cloud indicates 76% of customers are paying online using various methods of payment.

LEGISLATION

ORDINANCE 19-22- AN ORDINANCE TO CREATE A WATER CAPITAL PROJECT FUND SO THE VILLAGE MAY RECEIVE FUNDS RELATED TO THE DIVISION OF ENVIRONMENTAL AND FINANCIAL ASSISTANCE (DEFA) LOAN FOR THE WATERLINE WEST PROJECT– Third Reading

Dr. Mockus moved to adopt Ordinance 19-22 as presented, seconded by Mr. Wolf.

Dr. Mockus asked if this is just to create accounts, and not costing the Village money. Village Fiscal Officer Deborah Morgan said she has to create the fund accounts to process the payments received and to pay the loan payments. A roll call vote was taken with all councilmembers present voting in favor.

ORDINANCE 20-22- AN ORDINANCE TO CREATE A WATER DEBT SERVICE FUND SO THE VILLAGE MAY SERVICE PAYMENTS RELATED TO THE DIVISION OF ENVIRONMENTAL AND FINANCIAL ASSISTANCE (DEFA) LOAN FOR THE WATERLINE WEST PROJECT– Third Reading

Mr. Wolf moved to adopt Ordinance 20-22 as presented, seconded by Mrs. Porter. A roll call vote was taken with all councilmembers present voting in favor.

ORDINANCE 21-22- AN ORDINANCE TO AMEND THE VILLAGE ZONING MAP TO INCLUDE NEWLY ANNEXED PARCELS 078-329550-00.001, 078329550-00.002, 073-329550-00.002 AND 073-335640-00.000 AND TO ESTABLISH ZONING FOR SAID PARCELS- Second Reading

ORDINANCE 22-22- AN ORDINANCE TO AMEND THE ZONING DESIGNATION FOR PARCEL 075-344898-00.000 OTHERWISE KNOWN AS NATIONAL ROAD HEBRON OHIO 43025- First Reading

ORDINANCE 23-22- AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE LICKING COUNTY PLANNING COMMISSION FOR THE ADMINISTRATION OF FLOODPLAIN REGULATIONS- First Reading

ORDINANCE 24-22- AN ORDINANCE TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) MUNICIPAL BRIDGE INSPECTION PROGRAM AND DECLARING AN EMERGENCY- First Reading

Mrs. Porter moved to suspend the readings of Ordinance 24-22, seconded by Mr. Wolf. A roll call vote was taken with all councilmembers present voting in favor.

Mrs. Porter moved to adopt Ordinance 24-22 as presented, seconded by Mrs. Seymour. A roll call vote was taken with all councilmembers present voting in favor.

RESOLUTION 22-14- A RESOLUTION AUTHORIZING THE MAYOR OF HEBRON TO ENTER INTO AN AGREEMENT WITH THE LAW DIRECTOR FOR NEWARK, OHIO FOR PROSECUTION OF MISDEMEANORS- First Reading

RESOLUTION 22-15- A RESOLUTION AUTHORIZING THE MAYOR OF HEBRON TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH DAVID MOSER ATTORNEY FOR FISHEL, DOWNEY, ALBRECHT, & RIEPENHOFF LAW FIRM FOR CODE ENFORCEMENT- First Reading

COUNCIL ACTION ITEMS

2023 Budget/Appropriation Legislation

Mrs. Morgan said she provided an information sheet with consolidated budget information to Council. She said she and the Finance Committee met with all of the Departments to go over each budget. Dr. Mockus said she felt it went well and it moved fairly quickly. She said there was some discussion about raises in excess of 3% but ultimately, they went with the 3%. She thanked all for their efforts. Mayor Layton said the raises will have to be presented by ordinance at the first of the year. Mrs. Porter asked if the legislation can be presented at the end of December. Mrs. Morgan said Council can move to draft the legislation at the first meeting in November and it can be presented and approved by the end of the year, so that it is passed prior to the end of the first full pay period in January. She said she suggests Council pass the budget ordinance prior to passing legislation to increase employee pay.

Dr. Mockus moved to direct legislation be drafted for the 2023 Budget as presented, seconded by Mr. Wolf. A roll call vote was taken with all councilmembers present voting in favor.

Administration Position Restructuring

Mr. Wolf said a meeting was held to discuss Administration positions and some improvements were made to the job descriptions. He said copies of the job descriptions were provided to Councilmembers. Mrs. Porter said she is concerned about hourly pay for all three job descriptions and she would like to have that translated into salary. She also said the Skills portion of the Zoning Coordinator position says they “should have” and she would like to see it changed to “will have”.

Mrs. Porter moved to amend the wording of the skills portion of the Zoning Coordinator job description to make the skills listed mandatory as opposed to discretionary, seconded by Dr. Mockus. A roll call vote was taken with all councilmembers present voting in favor.

Mr. Untied asked if it was the Personnel Committee that worked on the job descriptions. Mrs. Porter said the job descriptions were reviewed by a 3-person Ad Hoc Committee that was called for this purpose only. Mr. Wolf said the Committee approved the language of the job descriptions and recommend them for Council approval. Mrs. Stoner expressed concern about discussion at the Ad Hoc Meeting that the Village Administrator John Trujillo handling the Stormwater duties for six months and then the Village will need to hire for another position. Mayor Layton said that topic may need to be held for now until we know more about what needs to be done.

Mr. Wolf moved to direct the Village Solicitor to draft legislation adopting the job descriptions as presented with the amendments as noted above, seconded by Mrs. Seymour. A roll call vote was taken with all Councilmembers present voting in favor.

September Bank Reconciliation

Mrs. Seymour moved to acknowledge receipt and review of the September 2022 Bank Reconciliation, seconded by Mrs. Stoner. A roll call vote was taken with all councilmembers present voting in favor.

ADMINISTRATOR'S REPORT

Village Administrator John Trujillo said Clerk of Council/Administrative Assistant Christina Furbee is able to return to work part-time now, up to 25 hours a week. He said she plans to work Mondays, Wednesdays and Fridays as she is able. He said she planned to work this meeting, but she was not able to due to soreness in her arm. Mr. Trujillo said a temporary worker from Surge Staffing would be able to work on Tuesdays and Thursdays to help with general office duties.

Mr. Trujillo said Zemba Bros should be starting the cleaning and televising of the sanitary sewers next week. He said there is one area of sewer that is plugged that they will assist the Village with, and the customer will be billed as it is a discharge issue through their pretreatment program.

Mr. Trujillo said paving of Burch & 9th Streets will begin around the end of October.

COUNCILMEMBER'S REPORTS

Mrs. Seymour said she appreciates the work everyone put into the budget meetings.

Mrs. Stoner said a Steering Committee Meeting will be held on Tuesday, October 11th to discuss the Hebron Comprehensive Plan. Mayor Layton said three citizens will serve on that Committee.

Dr. Mockus asked if any progress has been made to fix issues with the microphones in Council Chambers. Mr. Trujillo said Mrs. Furbee made contact with the vendor who previously worked on the microphones, but we have not yet heard back from another vendor who the Village has reached out to. He said the issue seems to be with the podium microphone which was replaced, so it may be an issue with the wiring.

Dr. Mockus thanked Mrs. Morgan for working with Mrs. Furbee to get the minutes out on the internet. She said it seemed to have been addressed quickly.

Dr. Mockus moved to go into Executive Session at 6:41pm to consider the employment, dismissal, or discipline of a public employee per ORC 121.22, seconded by Mrs. Stoner. A roll call vote was taken with all Councilmembers present voting in favor.

Mrs. Porter moved to reconvene from Executive Session at 7:11pm, seconded by Mr. Wolf. A roll call vote was taken with all Councilmembers present voting in favor.

Dr. Mockus moved to authorize the Village Solicitor to engage a third party to review workplace conditions and complaints, second by Mrs. Porter. A roll call vote was taken with all Councilmembers present voting in favor.

MAYOR'S REPORT

Mayor Layton said he attended the Ohio Municipal League training today. He said their end of the year conference is really informative. Dr. Mockus said it is helpful to meet other Councilmembers and Mayors, and talk about the problems they have. She said she introduced Sunbury and Johnstown to West Jefferson, as one of them is about to become a city and the other two just went through it. She encouraged members of Council to attend next year.

REVIEW OF EXPENSES

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

MEETING/EVENT SCHEDULE

October 19, 2022 6pm, Council Combined Committee Meeting, Council Chambers

October 26, 2022 6pm, Council Meeting, Council Chambers

October 27, 2022 5:30 to 7pm, Village of Hebron Trick-or-Treat

November 7, 2022 6pm, Planning & Zoning Meeting

November 11, 2022, Veteran's Day

MOTION TO ADJOURN

Mr. Wolf moved to adjourn the meeting at 7:14pm, seconded by Dr. Mockus. A roll call vote was taken with all councilmembers present voting in favor.

James Layton, Mayor

Attest:

Deborah Morgan, Village Fiscal Officer