

**VILLAGE OF HEBRON
PUBLIC HEARING MINUTES
May 24, 2023**

This meeting was held both remotely and in person.

CALL TO ORDER

Mayor Layton called the meeting to order at 5:33pm

ROLL CALL

Councilmembers in attendance: Council President Dr. Valerie Mockus, Councilmembers Stacy Stoner, Annelle Porter, Kenney Nauer, Randy Wolf. Councilmember Paige Seymour was absent from the meeting.

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

Visitors in attendance: Clifford Mason, Rick Stoner, Mike Brenneman

Remote Visitors: Community Development Coordinator Bonnie Miller

DISCUSSION

Topic:

An application was received to develop a Planned Residential Development on parcels 075-344898-00.000 & 075-304260-00.000 on National Road, Hebron. The request was reviewed by the Hebron Planning & Zoning Board, and they have forwarded their recommendation to Village Council. The recommendation is that the Concept Plan be granted as requested.

VISITOR COMMENTS /OATH

Mayor Layton asked Visitors who wish to comment to take the Public Hearing oath. Mike Brenneman took the oath and said he is here to answer any questions if needed.

Mayor Layton said there are no comments and this item will be carried over to the Council Meeting at 6pm.

ADJOURN

Mrs. Porter moved to close the public hearing at 5:34pm, seconded by Mrs. Stoner. A roll call vote was taken with all councilmembers present voting in favor.

_____(on file)_____
James Layton, Mayor

Attest:

_____(on file)_____
Deborah Morgan, Village Fiscal Officer

**VILLAGE OF HEBRON
COUNCIL MEETING
May 24, 2023**

This meeting was held both remotely and in person.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

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

ROLL CALL

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

Others in attendance: Mayor James Layton, Village Fiscal Officer/Interim Administrator Deborah Morgan, Water Reclamation Superintendent Tom Coleman, Village Solicitor Wesley K. Untied, Attorney Jarod Rose, and Clerk of Council/Administrative Assistant Christina Furbee.

Others in attending remotely: Community Development Coordinator Bonnie Miller

Visitors in attendance: Clifford Mason, Rick Stoner, Sarah Prasher, Keith Rose

ACKNOWLEDGE VISITORS

Mayor Layton acknowledged the visitors in attendance.

APPROVAL OF MINUTES

May 10, 2023 Council Meeting

Dr. Mockus moved to approve the May 10, 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. Stoner who abstained.

DEPARTMENT HEAD REPORT- Water Reclamation

Water Reclamation Superintendent Tom Coleman said he submitted his report to Council. He mentioned the cleaning and televising project and said there is less than 23,000-25,000 feet left to be completed. He said the plan is to start in Cumberland Meadows tomorrow and then do the remaining areas. Mr. Coleman said they do not understand why the camera operator bounced around so much. He provided a picture of a broken clarifier weir that was repaired.

Dr. Mockus asked if the plan is to complete the project every 5 years for the cost of \$160-175,000. Mr. Coleman said the next phase will be making repairs, and then they will do 20-25% portions in phases. Dr. Mockus said it seems like not purchasing a vacuum truck is a good decision. Mr. Coleman agreed and said the Village may have been hard pressed to use a vacuum truck on a daily basis.

Mr. Coleman said he attended an EPA meeting where discussion about new housing developments for the Intel project took place. He said there was discussion about asking developers to put in package Water Reclamation plants and then having the municipality take on those package plants. Mrs. Porter said a package Water Reclamation plant was difficult to control at a former trailer park. Mr. Coleman said it seemed like a difficult venture. He added that facilities within 300 feet of a plant are required by the EPA to tie into the infrastructure. There was some discussion about EPA requirements and capacities. Dr. Mockus asked if the Mayors of municipalities with enough capacity could join together and be the mandated supplier. Mayor Layton said there was some discussion about that but the costs involved could be expensive. He said the discussion about package plants is the first step to finding a viable solution for new developments.

VISITOR COMMENTS

None

National Road PRD/PCD

Dr. Mockus said there was some concern noted on the Village Facebook page that claimed this project is a ploy to get more money and that the project is at the expense of the Lakewood school system that cannot handle additional students. She said there was also misinformation noted that the plan is to build 300 new homes.

Mayor Layton said he meets with Lakewood School Superintendent Dr. Gleichauf regularly. He said Dr. Gleichauf sent him an email that included a statement about the current status of attendance at the schools. He read the statement he received from Dr. Gleichauf.

Mayor Layton said the Village will continue to work with Dr. Gleichauf and stay abreast of the enrollment numbers, and if there are any concerns, Dr. Gleichauf will let us know.

Dr. Mockus said she feels it is hard for residents who vote for the bond levies for Lakewood Schools to understand that capacity is not the issue. Mayor Layton added that Lakewood is an open enrollment school and Dr. Gleichauf said if capacity becomes an issue, open enrollment can be stopped.

Mrs. Morgan said the Village will address the citizen concern comments noted on its Village Facebook page.

Dr. Mockus moved to direct the Village Solicitor to draw up legislation to approve a Planned Residential Development on National Road, Hebron, as recommended by the Hebron Planning & Zoning Board, seconded by Mrs. Stoner. A roll call vote was taken with all Councilmembers present voting in favor.

Mrs. Morgan said Council previously discussed scheduling a Special Council Meeting to begin hearing the readings of this legislation sooner.

Dr. Mockus moved to hold a Special Council Meeting to read legislation to approve a Planned Residential Development on National Road, Hebron on Wednesday, May 31, 2023 at 5:00 p.m., seconded by Mrs. Stoner. A roll call vote was taken with all Councilmembers present voting in favor.

EXECUTIVE SESSION to conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action pursuant to Ohio Revised Code Section 121.22(G)(3)

Dr. Mockus moved to go into Executive Session at 6:27pm to conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action pursuant to Ohio Revised Code Section 121.22(G)(3), seconded by Mr. Nauer. A roll call vote was taken with all Councilmembers present voting in favor.

Mrs. Stoner moved to reconvene from Executive Session at 7:04pm, seconded by Dr. Mockus. A roll call vote was taken with all Councilmembers present voting in favor.

LEGISLATION

ORDINANCE 15-23-AN ORDINANCE WHEREBY THE VILLAGE OF HEBRON, OHIO AUTHORIZES THE CONVEYANCE AND EXCHANGE OF LAND KNOWN AS AUDITOR'S PARCEL NUMBER 075-344928-00.000 AND AUDITOR'S PARCEL NUMBER 075-344870-00.000-Second Reading

ORDINANCE 16-23- AN ORDINANCE DECLARING CERTAIN PROPERTY NOT NEEDED FOR ANY MUNICIPAL PURPOSE SURPLUS AND AUTHORIZING THE SAME BE SOLD TO ANOTHER POLITICAL SUBDIVISION WITHOUT BID (PER O.R.C. §735.053) - **First Reading**

ORDINANCE 17-23- 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, FOR A 21.43 ACRE PARCEL IDENTIFIED AS AUDITOR'S PARCEL #073-330558-00.000-**First Reading**

ORDINANCE 18-23- AN ORDINANCE TO ESTABLISH ZONING FOR A 21.43 ACRES PARCEL ADJACENT TO THE SOUTHERN BOUNDARY OF THE VILLAGE OF HEBRON LOCATED AT PARCEL NUMBER: 073-330558-00.000 UPON THE EFFECTIVE DATE OF ITS ANNEXATION INTO THE VILLAGE OF HEBRON-**First Reading**

ORDINANCE 19-23- 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**

COUNCIL ACTION ITEMS

Electric/Gas Aggregation

Dr. Mockus moved to add legislation to the next Council Meeting agenda to effect a governmental electricity and gas aggregation program, seconded by Mrs. Seymour. A roll call vote was taken with all Councilmembers present voting in favor.

Municipal Building Cleaning Contract

Mrs. Morgan said the Village went out to bid for Municipal Building cleaning services and NightSwift had the lowest bid. She said NightSwift is currently cleaning the Municipal Building on a temporary basis and we are happy with their work.

Dr. Mockus moved to approve a 3-year contract with NightSwift for Municipal Building cleaning services, seconded by Mrs. Stoner. A roll call vote was taken with all Councilmembers present voting in favor.

Residential Water/Sewer Service Contract (Canyon Rd)

Mrs. Morgan said Council previously discussed considering a contract that would allow a resident on Canyon Road to be released from a requirement of signing up for Village water service, if the Village should decide to run water lines in that area. Mrs. Porter said a contract period of 7-10 years was discussed. Dr. Mockus said she suggested the contract stipulate the resident would have to provide notice if they wish to extend the contract, so Council is not asked to make a last minute decision. There was some discussion about the contract period. Mrs. Seymour said she spoke the previous Community Development Coordinator who handled the other parcel on Canyon Road, and she said they had been told to go to the Planning & Zoning Board to request a variance so they wouldn't have to hook onto the water. Mrs. Morgan said it does not appear to be a Planning & Zoning item. Mrs. Porter said she is concerned about setting a precedent. Mr. Untied asked if there is an urgency to make a decision at this time. Mrs. Morgan said the resident stated he had asked before. Mayor Layton said he talked to Mrs. Nicodemus and was told the Village had no appetite at that time to spend money to run water to 1-2 people in that area. Mrs. Porter asked what would happen to the contract if the resident sells the property. Mrs. Morgan said she just wanted to see if Council wants to entertain the request, and if so, then a motion would be needed to direct the Village Solicitor to draw up a contract. Mr. Untied said since there are questions and uncertainty with no real urgency, he suggests taking time to discuss the issue further. Dr. Mockus said she would like to give the homeowner some understanding of Council's general feeling. Mrs. Morgan said she

would like to invite the homeowner to the next Combined Council Committees Meeting for further discussion.

ADMINISTRATOR'S REPORT

Interim Administrator/Fiscal Officer Deborah Morgan said the possibility of a noise ordinance was previously discussed, so she did some research and found the Village of Somerset passed a noise ordinance at their last meeting. She shared an example of the ordinance with Councilmembers.

Mrs. Seymour said she talked to Chief Brooks and asked if he feels they can resolve the noise issues without a noise ordinance and he said he supports whatever Council wants to do, but he feels he has the utilities he needs under the current Disturbing the Peace ordinance, and there is no time frame on it so can be enforced 24 hours a day. However, she said if this resident does it again, Chief Brooks encourages residents to call the Police Department again as they will now have a rapport with them and the Police Department can act on it. He said he does not want to act on the issue on the first call. Dr. Mockus said the Village needs to get the information out to the residents and encourage them to call the Police Department when there is an issue. Dr. Mockus said she was told about an issue with loud barking dogs as well.

Mrs. Morgan said the Village applied for Federal Emergency Management Agency (FEMA) Building Resilient Infrastructure and Communities (BRIC) funding. She said the application made it through the initial review, which is good news, but that does not mean it has been selected. She said per discussion with the Ohio Emergency Management Agency (OEMA) representative, she was informed if the Village receives BRIC funds, the money can be used for detailed design work as well if the preliminary study information has been completed using other funding.

Mrs. Morgan said the Village also applied for Community Development Block Grant (CDBG) funds for a flood improvement study, and the County has selected this to be awarded. She said the initial scope included permitting review, bypass channel preliminary design, and preliminary engineering documents. She said if some of the work is completed under other award funding, the scope could probably be shifted some to include more detailed design for final construction.

Mrs. Morgan said a pre-application for Critical Infrastructure Flood Culvert Construction through the County will be submitted by the County in June. The program is competitive but the Village feels that its application provides lots of documentation for the critical need for these infrastructure improvements. She said our proposed project consists of installing flood culverts at Broadway Street and Sugar Street.

Mrs. Morgan said after the Army Corp was brought up at the flood map change public meeting she reached out to our contact with them and a meeting was held. She said in that meeting, we found that the funding that is available for study and review. Any cost for study by the army corp is yet to be estimated by them and submitted for funding approval. If approved by the army corp, this work will be fully federally funded. The work could consist of preliminary H7H evaluation of the bypass channel and potentially some high-level design recommendations.

She said the momentum on these projects is excellent and the information the Village is providing based on the recent floodplain study is opening the eyes of the funding agencies and helping to convey Hebron's floodplain challenges to them. She said though the planning applications somewhat overlap, she believes the Village will be able to utilize all the funds if obtained, to push these flood improvements projects closer to completion.

Mrs. Morgan said on May 19th, she received an email from Dr. Mockus with a list of projects the Public Works Department has allegedly not finished. She said she asked Public Works Superintendent CJ Ward to submit updates for these projects and she compiled his

answers into a report that she provided to Council. She briefly read aloud information about items on the list.

Mrs. Morgan said at the last meeting, Mr. Nauer expressed concern about Public Works staff hanging flowers baskets in the downtown area after hours and possibly claiming overtime pay for the time involved. She said she sent email to Councilmembers to inform them that the baskets were actually being removed because of an alert about impending frost. She said the staff did not intend to claim overtime for the work.

COUNCILMEMBER'S REPORTS

Mr. Wolf said he received information about a Licking Memorial Hospital 5k run and 1 mile walk and he asked if anyone is interested in signing up for the event. Mayor Layton said he will forward the information to employees to see if they have any interest as well.

Mrs. Stoner said she was on vacation so she missed last Comprehensive meeting. Mayor Layton said a draft was given out, but there was no meeting. He said another meeting will be scheduled. Mrs. Stoner said a resident asked about the resident survey. Mayor Layton said he will send Jim Lenner an email to get information.

Mrs. Stoner asked who is responsible for fixing a bump in the pavement on SR 79, south of the Water Reclamation Facility. Mayor Layton said he will have Mr. Ward look into that.

Mrs. Stoner asked if there are any ideas about what will happen to the elementary school building when Hebron Elementary School closes. She said she has had people ask if the light on US 40 will be taken out. Mayor Layton said he has not heard any discussion about the light, but that may be a bus stop for kids being taken to the new elementary school, so it may behoove them to keep the light.

Dr. Mockus said there are several items on the Planning & Zoning agenda that have been there for quite some time now, so Attorney Mosher is going to add work sessions at the end of the monthly meetings to make decisions on those items such as animals, Airbnbs, etc.

Dr. Mockus thanked Mrs. Morgan for sending out a link to purchase Village of Hebron logo wear. She said she hopes Councilmembers will reach out to her if they are interested.

Mrs. Porter said she really feels something more needs to be done to make the microphones in Council Chambers work better. She said we do not have a good system and we are not using what we have. Mayor Layton said this has been discussed a couple times and he will look into it.

Dr. Mockus said she has a rough draft letter for AEP about their infrastructure in the Village, but she would like it to be more compelling. She said she has contact information for a local person at AEP that has visibility into hardware and she will reach out to her, as more residents are working from home now and they have to be able to rely on the electricity.

Dr. Mockus suggested asking for volunteers to make updates to the archive storage building on Basin Street, or scanning old documents for the United Way Week of Caring. Mrs. Morgan said Mr. Ward plans to get estimates to make repairs to the archive storage building.

MAYOR'S REPORT

Mayor Layton said all he had to discuss was covered in this meeting. He said there has been a lot going on.

VISITOR COMMENTS

None

REVIEW OF EXPENSES

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

MEETING/EVENT SCHEDULE

May 29, 2023-CLOSED for Memorial Day

June 5, 2023-6:30pm, Planning & Zoning Meeting, Council Chambers

June 14, 2023-6pm, Council Meeting

June 21, 2023-6pm, Combined Council Committees Meeting, Council Chambers

June 28, 2023-6pm, Council Meeting, Council Chambers

ADJOURN

Dr. Mockus moved to adjourn the meeting at 8:09pm, seconded by Mrs. Porter. A roll call vote was taken with all councilmembers present voting in favor.

_____(on file)_____
James Layton, Mayor

Attest:

_____(on file)_____
Deborah Morgan, Village Fiscal Officer