

# RECORD OF PROCEEDINGS

Minutes of \_\_\_\_\_ Meeting

BARRETT BROTHERS

Form 6101

Held \_\_\_\_\_

VILLAGE OF HEBRON  
COUNCIL MEETING MINUTES  
September 28, 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.

**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, Attorney Jarod Rose, Village Fiscal Officer Deborah Morgan, Police Chief Larry Brooks, and Zoning/Community Development Assistant Bonnie Miller

Visitors in attendance: Mike Brenneman, Connie Klema, Rick Stoner, Carol Callawort, and Penny Wolf

Remote Visitors: Stephen Kopechek of V3 Engineering

**ACKNOWLEDGE VISITORS**

Mayor Layton acknowledged the visitors present at this meeting.

**NOTICE: MEETING DOCUMENTATION**

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

**APPROVAL OF MINUTES**

September 21, 2022 – Combined Council Committee Meeting  
Councilmember Seymour moved to approve the September 21, 2022 Combined Council Committee Meeting Minutes as presented, seconded by Councilmember Porter. A roll call vote was taken with all Councilmembers present voting in favor.

**VISITOR COMMENTS**

None

**Department Reports – Water Reclamation**

Mayor Layton introduced Tom Coleman, Water Reclamation Superintendent, to present his report to Council. Superintendent Coleman presented a written report to Council for their review. Mr. Coleman reported the following items to Council:

- The sewer plant has treated 206 million 757 thousand gallons to date
- The other post aeration blower was installed on 6/27/22
- The department has cleaned up the weeds in the drying beds
- The department has painted the bollards and hydrants. Superintendent Coleman stated that new labor employee Devin Adkins painted the bollards and hydrants and did a great job.
- The storage tank blower delivery has been delayed until after 9/22/2022
- After 10/31/2022, when disinfection season is over, the department will be getting ready for winter
- 27.1703 dry tons of sludge was removed from the plant in July and hauled away to the Tunnel Hill Facility
- The cleaning/televising of the lines are to begin middle of October. This should be completed by the end of November or first part of December. Superintendent Coleman

# RECORD OF PROCEEDINGS

Minutes of \_\_\_\_\_ Meeting

BARRETT BROTHERS

Form 6101

Held \_\_\_\_\_

stated that door hangers will be placed on residents' properties informing them of the cleaning and televising. The hangers will have information on the process and anything the residents will need to be made aware of. Mayor Layton stated that when the cleaning/televising begins there is a possibility that it could have some effect on residents and that the Village would make sure that the information gets to the residents.

- The pretreatment local limits are in the comment period. The local limits are wastewater limitations that apply to commercial and industrial facilities that discharge to a POTW (Publicly Owned Treatment Works). V3 Engineering is hoping to distribute new NPDES (National Pollutant Discharge Elimination System) permits to the industries on the pretreatment program by the first of the year. They are currently operating on the old permit. Superintendent Coleman further explained the permitting process.

Councilmember Porter questioned Superintendent Coleman on what NPDES stands for. Mr. Coleman stated that it stands for National Pollutant Discharge Elimination System. Mr. Coleman stated that it is a permit issued by EPA (Environmental Protection Agency) to the Village allowing them to discharge into streams and water in the state. Councilmember Porter wanted to clarify if this was from the State of Ohio EPA. Mr. Coleman confirmed that it is the State of Ohio EPA.

Council President Dr. Mockus wanted to clarify with Superintendent Coleman about the door hangers that will be placed regarding the cleaning/televising project. Mr. Coleman stated that he will be working with the company performing the cleaning/televising, Zemba Brothers, on what areas they will be working on and when. They will place the hangers according to those areas and times. The hangers will provide the date and times. Administrator John Trujillo stated that this same information will be placed on the website, Facebook, and flyers will be placed in the areas in which public notices are posted. Dr. Mockus thanked Superintendent Coleman for the information.

Councilmember Porter wanted to clarify the number of 206.757 MG treated; if this was from the beginning of this year to date. Superintendent Coleman stated that this was correct from the beginning of this year to present.

## LEGISLATION

**Ordinance 17-22-** An Ordinance approving the project involving the intersection of US 40 (Main Street) and High Street identified as PID No. 109934, LIC Cr 79 00.00- **Third Reading**  
Councilmember Seymour moved to approve Ordinance 17-22, seconded by Councilmember Wolf. A roll call vote was taken and is as follows: Councilmember Stoner-No, Council President Dr. Mockus-No, Councilmember Wolf-Yes, Councilmember Nauwer-Yes, Councilmember Seymour-Yes, Councilmember Porter-No. The vote resulted in a tie, Mayor Layton broke the tie with his vote of yes, stating that he felt it was in the best interest of the Village of Hebron.

**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- **Second Reading**

**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- **Second Reading**

**Ordinance 21-22-** An ordinance to amend the Village Zoning Map to include newly annexed parcels 078-329550-00.001, 078-329550-00.002, 073-329550-00.002 and 073-335640-00.000 and to establish zoning for said parcels- **First Reading**

**Resolution 22-13-** A resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor- **First Reading**

Council President Dr. Mockus moved to waive the readings of Resolution 22-13, seconded by Councilmember Porter. A roll call vote was taken with all Councilmembers present voting in favor.

Council President Dr. Mockus moved to adopt Resolution 22-13, seconded by Councilmember Stoner. A roll call vote was taken with all Councilmembers present voting in favor.

# RECORD OF PROCEEDINGS

Minutes of \_\_\_\_\_ Meeting

BARRETT BROTHERS

Form 6101

Held \_\_\_\_\_

## DISCUSSION ITEMS

### V3 – BRIC Funding Application

Steven Kopechek from V3 Engineering was present, via Zoom, and briefed Council on the BRIC Funding Application. Mr. Kopechek stated that they are hoping to pursue funding through FEMA (Federal Emergency Management Agency) to obtain funds to perform a final benefit cost analysis study to then obtain construction funding for a flood plain mitigation project. Mr. Kopechek explained that the program requires a benefit cost analysis be completed, and that it shows your financial benefit of the flood plain mitigation project out-weighs the cost of the said project. It is calculated by looking at things such as disruption of commerce and damage to homes, along with a review of ecological and social aspects. Mr. Kopechek further explained how FEMA will evaluate previous damaging events. The actual application for the construction funding of a mitigation plan cannot be completed until it can be proved, through the benefit cost analysis study, that the project benefits out-weigh the costs of the project.

Mayor Layton requested that Mr. Kopechek go over the projects that funding could be used for. Mr. Kopechek stated that there are a few options that have been reviewed and they are as follows:

- A by pass channel that would divert water away from the center of town
- Some detention areas that would help retain the water so that it is not flowing so heavily through town
- Flood culverts throughout the town that would allow the flows to be carried within the stream banks more easily

The analysis would look at all three of the options and even combinations of the options. It would look at how the benefits of these would out weigh the cost.

Councilmember Porter questioned the economic disadvantaged communities mentioned in the documentation that was provided to Council on this BRIC Funding application. Mrs. Porter wanted to know who determines the income level and how is that done. Mr. Kopechek stated that if they suspect that the Village would qualify as an economically disadvantaged community, they can apply as such. Mr. Kopechek was not sure if the State emergency management association or FEMA would determine that, but it would be either one of them who would be the agency that would make that decision. Mrs. Porter stated that it would be an advantage for the Village of Hebron to access that. Mrs. Porter wanted to know who, what, and where does this happen. Mayor Layton stated that he does not have a clear picture of how they would determine that either, he will get with Brian Coghlan from V3 to getting a better picture of how that is determined. Councilmember Porter stated that it would be to our advantage to find every avenue to have our income determined to be as low as possible. Mrs. Porter stated that she would like to see this determined as soon as possible as there is a possible reduction from the Village share of the study from 25% to 10%.

Mr. Kopechek stated that the timeline to have the pre-application submitted is September 30, 2022. The pre-application is to get the information in front of the State of Ohio for them to review and then the State of Ohio will be putting together a composite application of all the projects that they approve to the Federal agency. If the application is approved at the Federal level, the money will be disbursed to the State of Ohio. The State of Ohio will then disburse the money to the local communities. Mr. Kopechek stated that there is an approximate three-month period that they will be working with the State of Ohio during the pre-application period. They will work to make sure that the Village's application is the most competitive and applied the right way for the Village, even before it goes to the Federal review process.

Councilmember Seymour wanted to clarify that the Village is applying for a grant to perform the benefit cost analysis study to then obtain funding for flood mitigation. Mayor Layton clarified that this was correct, this would be another tool to assist in getting grant funding for flood mitigation for the Village of Hebron.

Mr. Kopechek stated that the goal would be to get the funding for the study this year, do the study, and then get the funding next year to start the construction of the project.

Council President Dr. Mockus questioned Fiscal Officer Morgan on this item being listed as a discussion item and an action item on the agenda. Fiscal Officer Morgan stated that it was placed

# RECORD OF PROCEEDINGS

Minutes of \_\_\_\_\_ Meeting

BARRETT BROTHERS

Form 6101

Held

as an action item as well, since there are funds that would be required to be paid from the Village, this would require Council approval to expend the match funds. Mrs. Morgan stated that it would only need a motion from Council to approve the matching funds. Mrs. Morgan stated that she obtained the highest possible amount that would be needed for the first phase of this application from V3, the amount is \$43,500. Mrs. Morgan stated that this amount has been included in the 2023 budget/appropriations. Council President Dr. Mockus wanted to know if Fiscal Officer Morgan was comfortable with that figure for the upcoming budget. Mrs. Morgan stated that she was comfortable with the figure.

Council President Dr. Mockus moved to support moving forward with the BRIC Funding application, seconded by Councilmember Seymour. A roll call vote was taken with all Councilmembers present voting in favor.

## COUNCIL ACTION ITEMS

### Zoning Recommendation from Public Hearing

Councilmember Porter moved to direct the solicitor to prepare legislation for the zoning recommendation from the previous public hearing earlier in the evening, seconded by Councilmember Wolf. A roll call vote was taken with all Councilmembers voting in favor.

### Flock Camera System – Police Department

Mayor Layton opened the floor to questions from Council for Police Chief Larry Brooks. Councilmember Wolf stated that he just saw one of these cameras when he went through Heath. Chief Brooks stated that many of the area communities are installing this camera system. Chief Brooks informed Council that he had two crimes that happened over the last weekend that could have been solved with these cameras, and he feels it is a very important system for the police department. Mayor Layton stated that they are looking for a motion of support to purchase the camera system. The price of \$2,500 per camera and a \$350 installation fee for each for a total of \$10,000 for cameras and \$1,400 for installation was discussed. Councilmember Porter questioned the maintenance of the cameras if something would happen to one of them. Chief Brooks stated that the maintenance is covered and handled by the company and there would be no additional costs for that. Council President Dr. Mockus wanted to know what success looks like to the Chief with these cameras. Chief Brooks stated that he felt that the possibility of having the crimes that took place over the past weekend solved, would be success. Chief Brooks went on to explain how having this system would be a benefit and a crime solving tool for his department.

Councilmember Stoner wanted to know if these cameras can be moved. Chief Brooks stated that they can be moved, however, if they would need to be moved the company would need to come to do that. Therefore, they want to put them in the areas that has been discussed and they would not need to be moved. The operation of these cameras was discussed further

Councilmember Porter wanted to know if the Chief felt that adding two additional cameras for the areas that are not currently proposed, would this be beneficial. Chief Brooks stated that it would be beneficial, but starting with four and evaluating that over the two-year period would be a good idea. Chief Brooks stated that he feels they should start with what is currently being proposed and if it is successful, the idea of adding more could be done later. Chief Brooks stated that he wants to re-visit this but wants to see how the return on investment works out over the initial time frame, which is a contract period of two years. Mayor Layton stated that he feels it is a wonderful tool for the police department.

Councilmember Porter moved to support the purchase of the Flock Camera System for the Police Department, being four (4) cameras and the installation, seconded by Councilmember Seymour. A roll call vote was taken with all Councilmembers voting in favor.

### Administration Position Restructuring

Mayor Layton stated Council has had the information before them and wanted to know if there were any questions. After hearing none the Mayor requested a motion to approve. Administrator Trujillo stated that the proposed job descriptions were sent out and this would be essentially changing the job descriptions and creating one new position. The one new position would be Utility Billing and Archiving. This would take over some of the duties that employee Bonnie Miller has previously maintained. Administrator Trujillo pointed out some of the changes he has made to the proposed job descriptions. Councilmember Seymour questioned the issue of changing the Economic Planner position being salary rather than hourly. Administrator Trujillo

# RECORD OF PROCEEDINGS

Minutes of \_\_\_\_\_ Meeting

BARRETT BROTHERS

Form 6101

Held \_\_\_\_\_

reported on findings on other areas and studies he has reviewed showed that it was typically hourly, and he did not hear anything through the week from Council concerning that, therefore, he feels it is best to leave the position hourly. Councilmember Porter stated that the reason he did not hear anything from Council may be that she did not feel there was a reason to emphasize what she already has said, she still feels that salary is the way to go, and not into hourly at all. Councilmember Porter stated that she did not know they would be talking about this again, or she would have brought her notes. Mrs. Porter stated that she has seen manipulation in hourly before, not here, but in other places and feels that salary is a much cleaner way to do that. Council President Dr. Mockus stated that she concurs with Councilmember Porter. Administrator Trujillo wanted to know what the range should be. Discussion was held on what the possible salary rate should be and a range of \$45,000 to \$60,000 was discussed. Legislation needed for creating positions and setting salary was discussed. The naming of the position was discussed, from economic planner to community development coordinator and others such as development planner were also briefly discussed. Councilmember Porter stated that she likes the title of Community Development Director. Administrator Trujillo stated that the word director gives more expectations on salary.

Council President Dr. Mockus stated that she wanted to share that at the last meeting she indicated that when she does these sorts of projects for her clients, she creates an existing organizational chart and a proposed organizational chart. She articulates which duties are going from which position to which new position. It gives transparency to the process for the people both internally and externally to understand what is happening. Dr. Mockus stated that since 2019 the Village has spent in salary for zoning \$46,000 and now it is proposed for 2023 to spend \$156,000. Dr. Mockus stated that is a big increase. Dr. Mockus voiced her concern over the proposed large increase. Proposed salary and hourly ranges for the proposed positions were discussed along with the needed legislation. Administrator Trujillo requested Council make a motion to direct the solicitor to draft the legislation creating the proposed positions and setting the pay as discussed. It was stated that the proposed Economic Planner position salary range would be \$45,000 to \$60,000, the Zoning Coordinator/Code Enforcement position salary range hourly range of \$18.00 to \$23.00, and the Utility Coordinator/Archivist position would have an hourly range of \$15.76 to \$20.02. Councilmember Porter wanted to know if advertising and interviews could not move forward without this. It was stated that it could not move forward without the legislation being approved. Councilmember Stoner wanted clarification as to what position employee Bonnie Miller currently holds and what position she would be assuming, if the proposed positions were approved. It was clarified that Mrs. Miller is currently the Zoning/Community Development Assistant and would be moving to the Zoning/Code Enforcement Coordinator. How former employee Linda Nicodemus previous job duties are proposed to be split in the new positions that have been recommended to Council were discussed. Councilmember Wolf stated that if some of the duties are now being picked up by other employees, are these job duties being added to their job descriptions. Administrator Trujillo stated that some of the duties are already listed in the job descriptions of the employees that will be picking up the additional duties. Administrator Trujillo stated that as the Village grows the job descriptions can be drilled down further, but for now he feels that are accurate. Councilmember Porter stated that she does not see any consensus with this subject and that with a formation of a personnel committee, these things could have been pre-discussed. Mrs. Porter stated that she feels some of Council are at A, some are at B, and she does not feel that they are at a point to have legislation drawn. Mayor Layton stated that he disagrees, Council has been provided the proposed job descriptions with the proposed salaries.

Council President Dr. Mockus wanted to make a modest suggestion. Dr. Mockus stated that she has heard what Councilmember Porter has said about time, but sometimes Mr. Right Now, isn't always Mr. Right. Dr. Mockus wondered if anyone would be interested in forming an AdHoc meeting with the Mayor and Administrator to hammer out the details of what has already been discussed, to work through this so that by the time we get to the next Council meeting on October 12<sup>th</sup>, this could be all settled. Dr. Mockus stated that what she is hearing is that Council has concerns and if they could get those incorporated into a solution that they all could be happy with, she thinks it would be helpful. Mayor Layton stated that his concerns are that everyone has had this information and no one has contacted him or the Administrator with any concerns, why do we need another meeting. Mayor Layton stated that the information is here and they should have told him about this. Council President Dr. Mockus stated that they have been telling him. Mayor Layton disagreed and stated that no one has told him anything. Dr. Mockus stated that

# RECORD OF PROCEEDINGS

Minutes of Meeting

BARRETT BROTHERS

Form 6101

Held

they have told him in the last two meetings and they have articulated concerns in this meeting. Dr. Mockus stated that it is not Council's job to come to the Executive Branch in private and tell you their concerns, this is supposed to be a public forum. Dr. Mockus stated that she believes it would be wise to heed Council's feedback and put something together in a work group. Administrator Trujillo voiced his concerns about the current under staffing and waiting any longer with moving forward with this. Council President Dr. Mockus wanted to know if there were any Councilmembers willing to work on an AdHoc Committee to hammer out the issues discussed in this meeting and the last meeting. Councilmember Porter stated that she would be willing to do that. Councilmember Stoner and Councilmember Wolf stated they would also be willing to do that. Councilmember Wolf stated that he would coordinate the set up of this meeting. A date of Tuesday, October 4, 2022 at 5:30 p.m. was discussed as a date and time for this AdHoc meeting.

### Prosecutorial Services

Council President Dr. Mockus moved the solicitor draft legislation authorizing the Mayor to enter into an agreement with the City of Newark Law Director to handle criminal prosecution of misdemeanors for the Village of Hebron, seconded by Councilmember Porter. A roll call vote was taken with all Councilmembers present voting in favor.

Council President Dr. Mockus moved the solicitor draft legislation authorizing the Mayor to enter into a professional services contract with Attorney David Mosher of the Fishel Law Firm for prosecution or enforcement of code violations for the Village of Hebron, seconded by Councilmember Porter. A roll call vote was taken with all Councilmembers present voting in favor.

### ADMINISTRATOR'S REPORT

Administrator Trujillo reported that Chris Furbree, Clerk of Council, is out and looks to be out approximately another month. Mr. Trujillo wanted to know if hiring a temporary employee to help in the interim could be done. Mayor Layton questioned Attorney Jarod Rose on the process to make that happen. Attorney Rose read the Ohio Revised Code (ORC) section dealing with the ability of the Administrator to be able to hire a temporary person in this situation. It was stated that the Administrator would be able to do that with support of Council. It was clarified that it would be someone hired from an agency and the Village would pay from the invoice of the agency supplying the temporary employee. Council President Dr. Mockus moved to authorize the Mayor and Administrator to hire a temporary employee to assist in staffing, seconded by Councilmember Wolf. A roll call vote was taken with all Councilmembers present voting in favor.

### COUNCILMEMBER'S REPORTS

Councilmember Wolf stated that the Fire District is going well and an issue with the outside speaker at the fire department was briefly discussed. Councilmember Wolf reported that there are two fire inspectors working and will continue working to catch up on the fire inspections.

Council President Dr. Mockus wanted to make sure that it is on a list somewhere to get the microphones in the council chambers fixed. Administrator Trujillo stated that it would be. Dr. Mockus stated that with Grow Licking County, the amount extra we are paying, we can not get anything out of it until we get our economic plan worked out. Dr. Mockus wants to know if that is being done and when. In addition, should we pause the additional funds that we are paying to Grow Licking County until our economic plan is complete. Mayor Layton stated that he wants to wait to see what the rate will be for the New Year, and if it is higher he will tell them that he wants to pay the base rate. Councilmember Porter wanted to know who is responsible for the economic plan for the Village. Mayor Layton stated that originally it was Nate Strom from Grow Licking County. Since his departure and with the possibility of the rate with Grow Licking County being raised, it may be time to go back to the base rate.

Councilmember Porter stated that she noticed significant landscaping done at the Municipal Complex and she appreciates the work of the Public Works Department, it looks really nice. Mrs. Porter wanted her appreciation of that work passed on to Public Works Superintendent CJ Ward and his crew.

### MAYORS REPORT

Mayor Layton stated that he has attended a couple Grow Licking County meetings and met with prospective housing developers to discuss possible new housing in the Village.

# RECORD OF PROCEEDINGS

Minutes of \_\_\_\_\_ Meeting

BARRETT BROTHERS

Form 6101

*Held* \_\_\_\_\_

## 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

October 3, 2022-6pm, Planning & Zoning Meeting, Council Chambers  
October 12, 2022-6pm, Council Meeting, Council Chambers  
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

## ADJOURN

Council President Dr. Mockus moved to adjourn the meeting at 7:37 pm, seconded by Councilmember Wolf. A roll call vote was taken with all Councilmembers present voting in favor.

Attest:

  
\_\_\_\_\_  
Deborah Morgan, Village Fiscal Officer

  
\_\_\_\_\_  
James Layton, Mayor