

MALVERN VILLAGE REGULAR COUNCIL MEETING

May 15, 2023

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Meeting opened with the Pledge of Allegiance.

ROLL CALL: Mayor DeLong, Burgess, Craig DeLong, Wackerly, Thompson, and Hubbard were in attendance. Holmes was absent. Kaltenbaugh and Neading were also in attendance with Murdock attending via Zoom.

Motion by Burgess, second by Wackerly to approve the minutes from the regular meeting of May 1, 2023. All council members approved.

CITIZEN COMMENTS: Pixie Furbee was in attendance as a member of the Malvern Rotary. They have been working with the Historical Society on the restoration of the jail in the park. Now that everything is done they would like to start to utilize the jail for fundraisers with a portion going to the Rotary and to the Historical Society. She did question who is liable or responsible for the space if someone was injured. It was discussed that the Rotary and Historical Society own the actual structure, but it is placed within the Village Park. Murdock suggested that an agreement be established to assign general rules and responsibilities for use of the jail. Furbee left Council with the ideas the groups have come up with to start developing an agreement between the two organizations and the Village. They would like to proceed with their fundraiser project soon.

K&Ts Canteen attended the meeting to discuss their food truck. They have been setting up in the park in an effort to get their new business off the ground. They are operating as a barbeque food truck. They discussed that their trailer is fully equipped with electric and water, and they do not need any hookups. It was discussed that they contact Village Hall if they know they will be setting up or if outside of business hours they will contact Kaltenbaugh. They also noted that they do have their own insurance. It was asked that they not move tables from pavilions, as they are often rented. They are able to bring their own tables and provide their own trash cans when they setup at the park.

Carol Brawley was in attendance to discuss the park. She and a group of volunteers have been working on the bank in the Park near the Dairy Queen. They sectioned it into five (5) sections and assigned a section to each person to take care of throughout the summer. Carol Brawley, Mike and Michelle Larson, Mike and Vicky Campbell, Mary Lout and John Fischer, and Carol Scandrige have all been working on the bank this spring. They also worked with Bowman's Tree Service and they were able to donate nine (9) yards of mulch to put down. They are working to clear the top ridge and are close to having it completed soon. She also discussed several large limbs hanging over the walking track and some dead trees in the park that need to be addressed.

Vicki Gerry was in attendance to discuss a fence issue. She has requested a permit for a new fence running along the side of her property. The fence would be 18 inches off of the property line, as required by the building/fence permit legislation. However, the fence has not been approved due to it running to the sidewalk. Gerry is requesting a copy of the legislation showing that it is not permitted to run to the sidewalk. She discussed other properties that have similar fencing installed and another property that has the front yard completely fenced in on Grant Street. Burgess noted that approval was given by previous administrators, and the Village is following the current legislation. Burgess explained that the legislation will be reviewed and copies will be provided.

Burgess made a motion to enter into executive session for the employment of a public employee or official with the mayor, all council members, Kaltenbaugh, Murdock, and Neading. The executive session began at 7:28. The meeting resumed at 7:45. Wackerly made a motion to advertise for a seasonal employee at a rate of \$12.00 per hour, with the ad running for two weeks and closing on June 7th, second by Burgess. All council members approved.

LEGISLATURE: Motion by Burgess, second by Craig DeLong to suspend rule 731.17 for Resolutions 2023-12, 2023-13, and 2023-14. All council members approved.

Motion by Burgess, second by Craig DeLong to adopt Resolution 2023-12, A Resolution accepting the resignation of Jamie Lindeman from the Service Department, the Village of Malvern, Carroll County, Ohio. All council members approved.

Motion by Thompson, second by Hubbard to adopt Resolution 2023-13, A Resolution authorizing the temporary closing of South Reed Avenue on Sunday, May 21, 2023 (10 to 4 o'clock), for the Midwest Certified Slabs of Malvern Card Show within the Village of Malvern, Carroll County, Ohio. All council members approved.

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Motion by Craig DeLong, second by Hubbard to adopt Resolution 2023-14, A Resolution declaring the fulltime employment of Jeffrey Burgess, laborer, in the Service Department, the Village of Malvern, Carroll County, Ohio. Craig DeLong, Hubbard, Wackerly, Thompson and Holmes voted yes, Burgess abstained.

PARK: Hubbard discussed the park walk through. She reported that overall the park looks good but there are a few improvements that need to be done. There are picnic tables in the pavilions that need painted and also the exercise equipment needs to be painted. She contacted Ernie Hole, scoutmaster, to see if any scouts needed project hours and would be interested in the painting projects. She also noted that the shrubs near the Malvern sign need to be removed and possibly the flowers under the sign should be pulled due to over growth. The poles to prevent cars from driving into the park area were discussed again, she suggested painting what is there until a solution is found for replacement. She further discussed the idea of handicap accessibility to the 4-H pavilion. Burgess will discuss with Community Development at the next meeting. Hubbard discussed the idea of having a food truck day in the park as a way to bring people into the park.

Wackerly asked about moving the League Championship sign coming into town.

DeLong noted that someone in the park was cut on a piece of metal, the service department was able to repair the metal sheet to prevent further issues.

FISCAL OFFICER/TAX DEPARTMENT: Neading provided council with the RITA, Fund Status, Receipts, and Payment reports as of 5/15/2023. She continues to work with the State on the audit. She also is working on the insurance renewal with Whitaker. Neading discussed the Sunshine Law training and noted that Teri Foster will need to take the training as the Records Compliance Officer. She is also able to take the training on behalf of the Mayor and Council. Wackerly made a motion to allow Foster to complete the Sunshine Law training for herself and on behalf of the Mayor and Council for 2023, second by Craig DeLong. All council members approved. Neading discussed an amendment to the Phase 2 Waterline project. The amendment includes adding Canton Road to Sycamore into the project, providing water to an additional business and establishing fire hydrants to the section of road. The cost includes an additional expense of \$24,000 in additional construction administration for Engineering Associates and an additional cost of \$13,000 for updates to the drawings and design of the project. Wackerly made a motion to proceed with the amendments to the Phase 2 Waterline Project to include the area of Canton Road to Sycamore Road for the total additional cost of \$37,000, second by Craig DeLong. All council members approved.

VILLAGE ADMINISTRATOR: Kaltenbaugh discussed that the service department has been doing a lot of mowing. The mosquito sprayer has been certified and is ready to go. He discussed that he was contacted by the State and they are ready to start the State Route 183 bridge project going east out of town. They will re-route traffic through town. Tucson will be working to complete the section of Porter so the additional traffic will not be affected by the waterline project. Kaltenbaugh noted that overall, the waterline project is progressing well, they have been able to start pressure testing certain areas.

Thompson asked if the street would be swept prior to Memorial Day. She also asked if there were more “no parking” signs for the alleys. Kaltenbaugh reported that they have been ordered. She also asked if a handicap sign could be put up at the 215 Grant Street property. Kathy Ritter has been having an issue with cars going around the bus as her child is loaded and unloaded, which is a major safety hazard. Thompson also asked about the grass at the fire station. Kaltenbaugh reported that it is the departments responsibility to provide the maintenance for the building.

Kaltenbaugh discussed that NorthStar Paving was working on Citrus Road outside of town on a County project and contacted him regarding the section inside the Village. They were able to repair the section for \$9,800.

MAYOR: DeLong reported that the water project is progressing. He also discussed that the Circus tickets were received. The tickets will be \$15 for presale, which includes admission for a child. The tickets at the door will be \$25. DeLong and Kaltenbaugh met with EOG regarding gas royalties. They are offering an upfront payment of \$500 per acre and then 20% of royalties. The Village owns

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approximately 120 acres. Kaltenbaugh wants to speak with Encino Energy also to have two options to compare. DeLong asked about the lights downtown. Kaltenbaugh explained we are still waiting on information to get to the insurance company to be able to proceed.

COUNCIL: Burgess discussed the Rotary’s fundraiser idea and thinks they should be responsible for providing the insurance.

Hubbard thanked everyone for their participation in clean-up day and to Burwell and his crew for their support.

Wackerly reported there were 87 ambulance calls since the last meeting. He also noted they had discussed who was responsible for mowing their building, it was noted that a neighbor had previously mowed their property. Kaltenbaugh noted that the ambulance board would be responsible to hire or find someone to mow the property.

FINANCE: Motion by Burgess, second by Thompson to pay the village bills from the appropriate funds for \$145,210.43 pre-approved by the Finance Committee 5/15/23. Also, \$8,002.36 in payroll pre-approved by the Finance Committee and paid 5/11/23.

QUESTIONS:

ADJOURNMENT: Motion by Thompson, second by Hubbard to adjourn. All council members approved.

Next regular council meeting will be Monday, June 5, 2023 at 7:00 p.m. at the Malvern Village Hall.

Mayor

Fiscal Officer