

**Village of Higginsport
Village Council Meeting
July 10, 2023**

The Council of the Village of Higginsport met in regular session at the Village Municipal Building on Monday, July 10, 2023 at 6:00 p.m. with all members present except Kathy Adams.

Also, present were: Police Chief Shawn Elliott, Captain Brian Perry, Solicitor DJ Osborne, Annie Osborne, Sandy Bear, Peggy Wood, Linda Fester, Chris Bishop, Jane Kretzer, Scott Wilburn, Tina Schumaker, Bob Feinen and Sherry Feinen.

Mayor Crawford called the meeting to order and led everyone in the Pledge of Allegiance.

Public Participation

Mrs. Linda Fester reported on the following:

- Nature Works grant application has been submitted and the grants are scheduled to be awarded in the fall of 2023.
- Meeting with District 14 State Representative - possible funding available for the Village in the State's 2024 capital improvement budget.
- Letter of intent prepared and submitted for grant funding through Brown County for street improvements along U.S. 52.
- Status of participation in the Appalachian grant program.

Ms. Tina Schumaker inquired as to the discussion at the last council meeting regarding surveying all of the village streets and alleys. Ms. Schumaker inquired if only the streets or alleys in question could be surveyed. Solicitor Osborne expressed that in order to survey it would require surveying all properties in the village not just streets and alleys, which would be very costly. Solicitor Osborne recommended applying for a grant to re-plat the village for sewer improvements.

Ms. Schumaker reported there was a hole in the sewer drain on Main Street. Mr. Bear expressed that he has planned to put a metal plate over the hole. Mr. Scott Wilburn reported that he had already installed a steel plate over it. He further stated that groundhogs are undermining the drainage. A brief discussion ensued regarding the matter.

Police Department Report

Chief Elliott reported on the following:

- Police department inventory including the police department garage has been completed and submitted to the mayor.
- Equipment maintenance update

Old Business

Mr. Bear reported grant funding will be coming available for demolition of the old school building. Solicitor Osborne expressed Council needed to decide if they want to start litigation for obtaining the school property. A discussion ensued with Solicitor Osborne informing Council that the property taxes on the property are six months in arrears and that he had sent certified letters to the property owner but had received no response.

Mr. Elliott reported he had been contacted by someone from Cleveland that is interested in the old gas station property. Solicitor Osborne stated that he had recently sent the property owner a letter regarding the condition of the property.

Mayor Crawford inquired as to how Council would like to proceed with obtaining the old school property.

Resolution 23-26

Motion by: Mr. Elliott

Seconded by: Mr. Bear

To approve and authorize the village solicitor to proceed with litigation to obtain ownership of the old school property.

Vote: Mrs. Adams, Absent; Mr. Bear, Yes; Mr. Elliott, Yes; Mr. Moon, Yes; Mr. Null, Yes; Ms. Wills, Yes

Mr. Bear reported he had spoken to the owner of the old restaurant property and approached her about the village possibly obtaining the property.

Mr. Elliott addressed the storm drain issues as previously discussed and expressed that the village might possibly obtain grant monies to redo some of the storm drains in the village.

Mr. Elliott inquired about the status of the sewer at 511 Columbia Street. Mayor Crawford reported he had contacted the property owner and informed him he had until the end of June 2023 to be tapped into the village's sewer. The property owner had informed Mayor Crawford that the village should contact his attorney regarding the matter. Solicitor Osborne stated he would send a letter to the property owner.

Mr. Elliott inquired about the status of the sewer at the new campground at the west end of the village. Mayor Crawford reported he had provided the property owner the cost of installation of the sewer on the property and that the property owner was to follow-up with him.

Mr. Bear inquired about the status of the sewer plant air compressor. Mayor Crawford stated he would follow-up with Mr. Plymester.

Mr. Null inquired about overgrown property in the Village. Captain Perry responded that Council had relieved the police department from enforcing it.

Mr. Null inquired if a sewer department inventory had been turned in. Mayor Crawford confirmed that it had not and that he would follow-up with Mr. Plymester.

Mr. Bear reported he had obtained pricing information for veteran flags for the Village. The cost would be \$105.00 per flag and mounting hardware. The vendor requested an order of eight to ten flags at a time. A discussion ensued regarding the matter with a suggestion of possibly doing a mailing to notify residents of the veteran flag program. Mr. Elliott volunteered to use his email address as a contact for the program.

Mr. Bear reported several street signs needed replaced in the Village and five stop signs were needed. Mayor Crawford stated he would contact ODOT regarding the stop signs and recommended contacting A & A Safety for an estimate for the signs needed.

Additional Public Participation

Mr. Bob Feinen addressed Council regarding an alleged incident with his family members and an elected village official. He reported the official had almost run over his family and when confronted the official used profanity towards his family members. Mr. Feinen informed Council that the elected official was Mr. Null. Mr. Null responded that the allegations were a

blatant lie. Solicitor Osborne interjected and expressed that there is a time and a place for something like this matter and recommended Mr. Feinen file a police report for the alleged incident.

Mayor's Report

Mayor Crawford presented a sign-out sheet for village owned equipment for Council's approval. A discussion ensued regarding permitting village resident's utilizing village owned equipment. It was general consensus of Council that residents could utilize village owned equipment when conducting village business however they would not be permitted to utilize any of the village owned gas-powered equipment.

Mayor Crawford inquired if the village ball diamond is open for tree debris. Mr. Beair confirmed that it was.

Fiscal Officer's Report

Mrs. Dufau presented the following for Council's approval:

- Ordinance to proceed with the operating tax levy.
- Re-appropriation resolution
- 2024 tax budget

VILLAGE OF HIGGINSPO BROWN COUNTY, OHIO ORDINANCE NO. 2023-01

AN ORDINANCE FOR A FIVE (5.0) MILL TAX LEVY FOR OPERATING EXPENSES IN EXCESS OF THE TEN-MILL LIMITATION AND TO PLACE THE ISSUE ON THE NOVEMBER 2023 GENERAL ELECTION BALLOT AND DECLARING AN EMERGENCY.

The Council for the Village of Higginsport, Ohio, met in special session on July 10, 2023 at the Village Municipal Building with the following members present:

Kathy Adams	-	Absent
Lester Beair	-	Present
Patrick Elliott	-	Present
Anthony Moon	-	Present
Scott Null	-	Present
Linda Wills	-	Present

Mr. Beair moved the adoption of the following Ordinance:

WHEREAS, this Village Council of the Village of Higginsport, Brown County, Ohio has declared the necessity of levying a tax in excess of the ten-mill limitation within the Village for the benefit of this Village pursuant to the provisions of Section 5705.19(A) of the Ohio Revised Code for operating expenses; and

WHEREAS, pursuant to Section 5705.03 of the Ohio Revised Code, this Council has heretofore certified to the County Auditor a Resolution requesting the County Auditor to certify to this Council the total current tax valuation of the Village and the dollar amount of revenue that would be generated by five (5.0) mills per year as specified in such Resolution, and this Council has received the

certification of the County Auditor that such total current tax valuation is \$3,310,000.00 and that such dollar amount of revenue is \$17,000.00 per year (a copy of such certification is attached hereto as Exhibit A);

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Higginsport, Brown County, Ohio, that:

SECTION I That it is hereby declared that the amount of taxes which may be raised in this Village within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of this Village.

SECTION II That pursuant to the provisions of Section 5705.19(A) of the Ohio Revised Code, it is necessary to proceed with levying a tax of five (5.0) mill in excess of such ten-mill limitation for the entire territory within the Village for operating expenses, at the rate not exceeding five (5.0) mills for each one dollar (\$1.00) of valuation, which amounts to one hundred seventy-five dollars (\$175.00) for each one hundred thousand dollars (\$100,000.00) of valuation, for a five-year period of time.

SECTION III That the question of the passage of said tax levy shall be submitted to the electors of the entire territory of the Village at the election to be held on November 7, 2023, and if approved by the electors, shall first be placed upon the 2023 tax list and duplicate, first collection shall take place in calendar year 2024.

SECTION IV That the form of the ballot to be used at said election shall be substantially as follows:

PROPOSED TAX LEVY
VILLAGE OF HIGGINSPORT

A majority affirmative vote is
necessary for passage

A five (5.0) mill levy to constitute a tax for the benefit of the Village of Higginsport, County of Brown, Ohio, for the purpose of operating expenses at a rate not exceeding five (5.0) mills for each one-dollar (\$1.00) of valuation, which amounts to one hundred seventy-five dollars (\$175.00) for each one hundred thousand dollars (\$100,000.00) of valuation, for a five (5) year period of time, commencing in 2023, first due in 2024.

	FOR THE TAX LEVY	AGAI NST THE TAX LEVY
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AGAINST THE TAX LEVY

SECTION V

That the Clerk of this Council be and is hereby directed to certify a copy of this ordinance to the board of elections, not later than four o'clock (4:00) p.m. of the ninetieth (90th) day before the date of said election and to notify said board of elections to cause notice of the election on the question of levying said tax to be given as required by law.

SECTION VI

That it is found and determined that all formal actions of this Village Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Mr. Elliott seconded the motion and the roll was called on its adoption with the following results:

Kathy Adams	-	Absent
Lester Beair	-	Yes
Patrick Elliott	-	Yes
Anthony Moon	-	Yes
Scott Null	-	Yes
Linda Wills	-	Yes

Resolution 23-27

Motion by: Ms. Wills

Seconded by: Mr. Elliott

To approve the following re-appropriations:

General Fund

From:

1000-930-930 Contingencies \$ 4,000.00

To: 1000-110-341 Accounting/Legal \$ 1,000.00
 1000-790-3441 Accounting/Legal \$ 3,000.00

**Vote: Mrs. Adams, Absent; Mr. Beair, Yes; Mr. Elliott, Yes; Mr. Moon, Yes;
 Mr. Null, Yes; Ms. Wills, Yes**

Resolution 23-28

Motion by: Ms. Wills

Seconded by: Mr. Beair

Whereas, the Village Fiscal Officer, Sheila Dufau, has presented the proposed 2024 Tax Budget to the Village Council, and

Whereas, the Council of the Village of Higginsport has reviewed the proposed budget,

Therefore, be it resolved, that the proposed 2024 Tax Budget be approved and submitted to the Brown County Auditor's Office.

Vote: Mrs. Adams, Absent; Mr. Beair, Yes; Mr. Elliott, Yes; Mr. Moon, Yes; Mr. Null, Yes; Ms. Wills, Yes

Ordinance 2023-02

Mayor Crawford presented the first reading of proposed Ordinance 2023-02. An ordinance for the regulations of animals and livestock inside the corporation limits of the Village of Higginsport, Ohio.

Motion by: Ms. Wills, seconded by: Mr. Elliott to approve the regular meeting minutes of June 12, 2023. Motion passed unanimously.

Motion by: Ms. Wills, seconded by: Mr. Beair to pay the bills. Motion passed unanimously.

Motion by: Ms. Wills, seconded by: Mr. Elliott, to adjourn the meeting. Motion passed unanimously.

Eddie Crawford Jr., Mayor

Sheila G. Dufau, Fiscal Officer

Kathy Adams, Council Member

Patrick Elliott, Council Member

Linda Wills, Council Member

Scott Null, Council Member

Lester Beair, Council Member

Anthony Moon, Council Member