

RECORD OF PROCEEDINGS

Minutes of VILLAGE OF GETTYSBURG MONTHLY COUNCIL MEETING Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held _____

October 12, 20¹⁷

CALL TO ORDER

Mayor Jason Lance led attendants in the Pledge of Allegiance and called the meeting to order at 7:00 PM. Fiscal Officer/Village Administrator Jesse J. Berry called roll.

PRESENT: Jason Lance, *Mayor*; Karla Harmon, *Council President*; Chris Miller, *Councilmember*; Norman Warner, *Councilmember*; Robert Williams, *Councilmember*; Tim Bryan, *Councilmember*; Jesse J. Berry, *Fiscal Officer/Village Administrator*; Matt Pierron, *Village Solicitor*

ABSENT: John Archey, *Councilmember*

CITIZENS: Paula Harshbarger, Patsy Riley, Anna Fair, Cheryl Byers

GUESTS: Jim Shaw, *Norcold, Inc Plant Manager*, Norcold, Inc Engineer

ALSO IN ATTENDANCE: Jay Roberts, *Water Operator*; Rocke Parkman, *Park Board Vice Chair*

AGENDA REVIEW

Before reading over the agenda, Mayor Lance announced rules for citizens attending the meeting. Mayor Lance outlined time frames for those with comments; notably, keeping public comments limited to the *Public Comments* portion of the meeting, and limiting an individual's comment time to three minutes to speak with an additional two minutes for questions and answers. The Mayor then made it clear that citizens are not to comment or interrupt the business of Council after the *Public Comments* portion of the meeting. Councilman Chris Miller then motioned to approve the agenda. Councilman Bob Williams seconded, and the October 2017 agenda was approved.

APPROVAL OF MINUTES

Council read over the minutes of September 14, 2017. There were no questions or comments from Council. Councilman Norman Warner motioned to approve the minutes. Councilwoman Karla Harmon seconded and the minutes of the September 14, 2017 Council Meeting were approved.

BILLS REVIEW

Council read over the Payments Report for September 1, 2017 to September 30, 2017. There were no questions or comments. Councilman Chris Miller motioned that payments made September 1, 2017 to September 30, 2017 be approved. Councilman Tim Bryan seconded and expenditures for the month of September 2017 were approved.

GUEST SPEAKER

Guest Speakers from Norcold, Inc. gave their presentation during the Zoning report.

COMMENTS FROM PUBLIC:

Villager Patsy Riley spoke about a recent cemetery board meeting, noting the cemetery's need to have some trees removed. Riley also mentioned there are some light poles that need taken down at the park, and if they are going to be taken down, the cemetery would take the poles.

Villager Anna Fair stated she wanted to 'claim eminent domain' on an old ally behind her property that she has been taking care of for over thirty years. Solicitor Mathew Pierron explained that citizens cannot claim eminent domain. Pierron then explained to Fair and other

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attendants the process a citizen needs to go through to acquire abandoned municipal property. A small discussion ensued.

Villager Cheryl Byers questioned the economic benefits of having the old school (west wing of Cardinal Center) demolished. Members of Council explained the old school needs demolished because the cost of renovating far exceeds the overall value of the property. It was then added the old school is essentially 'condemned' and a health and safety hazard. Byers then questioned the need to contract for snow removal, stating the Village has always had personnel do it. Members of Council pointed out the Village has gone through some personnel changes and the Village no longer has any personnel with a CDL. Byers then questioned the need for a dump truck if the Village was not going to use it for plowing. It was explained that there are other applications for a dump truck.

Villager Paula Harshbarger asked when 2017 expenditures would be posted on the Ohio Checkbook website. Councilman Chris Miller stated the Ohio Checkbook program was done by a third party and Gettysburg has no knowledge of when or what all would be posted.

MAYOR'S REPORT

Mayor Lance briefed Council on getting an assessment and cost estimate of security cameras to post around the Village. A small discussion ensued.

SOLICITOR'S REPORT

Solicitor Mathew Pierron updated Council on the pending prosecution of zoning violators; stating they are at the point where court papers are to be served. A discussion on who would serve the papers ensued.

FISCAL OFFICER/VILLAGE ADMINISTRATOR:

Fiscal Officer/Village Administrator Berry read over his report starting with contracts and estimates for Water Plant and Sewer Lift Station maintenance presented by Water Operator Jay Roberts at the September meeting. Berry stated that, unless there were objections, he was going to approve the contracts. Berry then briefed Council on his and Robert's plan to have pipes at water plant repainted as they are flaking and rusting due to the use of a wrong sized dehumidifier in the past. Berry also mentioned the Community Clean-up on October 21, stating he's scheduled dumpsters to be placed at the Cardinal Center for the weekend. Berry also briefed Council on his efforts to contract snow plowing for the season.

OTHER REPORTS:

Water/Sewer: Water Operator Jay Roberts informed Council that the lift station on Auld Street, that services just one house, needs both pumps replaced. Roberts presented Council with the cost of the pumps and reiterated the necessity of having them replaced; pointing out, the lift station is currently operating on a loaner pump from the company that will ultimately replace the pumps. There were no questions or comments.

Streets: nothing

Storm Sewer: nothing

Finance Committee: nothing

PDI: nothing

ADA/Hospitality: nothing

Park Board: Park Chair and Councilman Chris Miller spoke about his desire to get started on Park Grant proposals for 2018—instead of waiting until the last minute like last year.

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Zoning Board: Zoning Chair and Councilman Tim Bryan briefed Council on Norcold, Inc. plans to expand, and then handed the floor to Norcold Plant Manager Jim Shaw. Shaw spoke about the plants rapid growth over the past couple of years and the need to expand. The Norcold Expansion Lead then passed out diagrams of the plant with the proposed building layout. The layout included plans for the relocation of the employee parking lot. There was discussion on what is required of Norcold for approval from Gettysburg. Bryan stated that aside from filling out a zoning application for the Village of Gettysburg, and a Zoning Board vote to approve, he didn't think there were additional requirements. Bryan then suggested Norcold should contact the county engineer to see if they had any requirements. Bryan went on to say he too was going to contact the county before the next Zoning Board Meeting; where they will vote to approve the plans. No official decisions were made.

Records Commission: nothing

OLD BUSINESS:

1. **Resolution 2017-12 Designation the Bike Route Through the Village of Gettysburg a State and US Bike Route** – There was no discussion. Councilman Tim Bryan motioned to approve the second reading of Resolution 2017-12. Councilman Chris Miller seconded. **Roll Call:** Norman Warner - yes; Karla Harmon - yes; Chris Miller - yes; Robert Williams - yes; John Archey - absent; Tim Bryan – yes; and the second reading of Resolution 2017-12 was approved.
2. **Annexation of West Main Street** — tabled
3. **Rental Registration Program** — tabled

NEW BUSINESS:

1. **2017-13 Authorizing the Fiscal Officer of the Village of Gettysburg, Ohio to Certify the Following Sums to the Darke County Auditor to Be Assessed and Collected as Delinquent Utility (Water, Sewer, Refuse, and Sanitary Debt Retirement) Bills Totaling \$3,245.34 As Set Forth Herein and Declaring an Emergency** – There was no questions or comments. Councilman Chris Miller motioned to suspend the three reading rule. Councilman Tim Bryan seconded. **Roll Call:** Norman Warner - yes; Karla Harmon - yes; Chris Miller -yes; Robert Williams - yes; John Archey - absent; Tim Bryan – yes; and the three reading rule for Resolution 2017-13 was suspended. Councilwoman Karla Harmon then motioned to approve Resolution 2017-13. Councilman Chris Miller Seconded. **Roll Call:** Norman Warner - yes; Karla Harmon - yes; Chris Miller -yes; Robert Williams - yes; John Archey - absent; Tim Bryan – yes; and Resolution 2017-13 was approved.
2. **Establishing a Board of Tax Review** – Mayor Lance explained that part of the income tax passed in 2016 and effective this year, the Village was required to establish a Board of Tax Review. A small discussion ensued. It was decided to have appointments ready for next Council Meeting.
3. **Appointment of Zoning Officer** – Council and the Mayor discussed the need for a Zoning Officer. It was decided potential candidates would be suggested at the next Council Meeting.
4. **Harshbarger Zoning Appeal Final Review** – Mayor Lance briefed attendants on the conclusion of last month's Zoning Appeal and the decision to 'modify' – which meant members of Council and the Mayor met at the Harshbarger residence on September 18, 2017 and established a list of violations that would need rectified by October 11, 2017. The Mayor went on to state he and Fiscal Officer/Village Administrator Jesse Berry met at the Harshbarger residence that morning (October 12, 2017) to verify if violations have been rectified or not – then noting violations that were not rectified.

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The Mayor informed Council he and Berry took photos for the prosecution. Mayor Lance asked members of the Zoning Board if they had visited the property. Councilman and Zoning Member Chris Miller stated he too viewed the property and found that some of the violations were not rectified, or 'complete.' Councilman and Zoning Chair Tim Bryan also stated he'd been by the property and observed there were violations that were not rectified as per the 'modified agreement'. Councilwoman and Zoning Member Karla Harmon stated violations were not completed as per the 'modified agreement' and that the Village should move forward with prosecution. Paula Harshbarger interrupted, stated the agreed upon deadline was not up yet. Mayor Lance held up the signed 'modified agreement' showing the deadline was October 11, 2017. Harshbarger argued she did not receive a copy of the signed 'modified agreement.' Mayor Lance reminded Harshbarger that at the 'modified' meeting at her residence, her and her husband were informed copies of the signed 'modified agreement' were going to be made the next business day following the September 18, 2017 meeting, and that if they wanted a copy they would have to come and pick one up at the Village Office. Harshbarger continued to protest. Mayor Lance called order, and then stated it was the recommendation of the Zoning Board to prosecute the Harshbarger's for zoning violations as outlined in the Zoning Violation letter they received, as well as the 'modified agreement.' Councilman Norman Warner motioned to prosecute. Councilwoman Karla Harmon seconded, and the motion carried.

ADJOURNMENT: Councilman Norman Warner motioned that the Council Meeting be adjourned. Councilwoman Karla Harmon seconded. The motion carried and the meeting adjourned at 8:20 pm.



JESSE J. BERRY, FISCAL OFFICER



JASON D. LANCE, MAYOR