

# RECORD OF PROCEEDINGS

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held \_\_\_\_\_ 20 \_\_\_\_\_

April 10, 2023

The Village of Rushsylvania Council met in an Open, Publicly Advertised Meeting on Monday, April 10, 2023 at 7:00 P.M. Council Members present included Acting Mayor, Jason Miller, Jeremy Lowe, Sarah Eagy, Tim Rader, Trish Wilson, and Chris Crumley. Solicitor, Zeb Wagner, Village Employee, Chris Coak, and Fiscal Officer, Kathy Stierhoff were also present. Mayor, Phillip Wright, was absent. Visitors present: Jacob Estes, Ed Boyd, James Blanton, Troy Gibson, and Victoria Zupan.

Acting Mayor, Jason Miller, called the meeting to order. The Pledge of Allegiance and Roll Call were given.

Acting Mayor, Jason Miller, offered the floor to James Blanton. He stated that after buying the property at 225 E Mill Street, he was given permission from Council at that time to have chickens on his property for personal and 4-H use. Solicitor, Zeb Wagner, stated that the decision to allow chickens on the property, as the zoning ordinance currently bans, would require an ordinance or a conditional use permit. The fiscal officer was directed to search the ordinances from approximately 10 years ago when the property was purchased for an ordinance concerning this issue. Mr. Blanton stated that if the proper documentation cannot be found, he would like to inquire about the process of requesting changes to the zoning ordinance.

The floor was offered to Troy Gibson of Byhalia.net, an internet provider. He stated that he was in attendance to address questions concerning his request via letter at the March meeting to place an internet tower on the water tower. He now covers four counties and has towers on the West Mansfield water tower and the sheriff's tower near Bellefontaine. Chris Coak stated that using the water tower for this purpose will not interfere with any of his work. Jason Miller asked how far the service would reach. Mr. Gibson stated that barring other interference such as trees, the tower would reach a five mile radius. The village would provide the electric power to the tower at an approximate cost of \$50.00 per year, however he would provide internet service to the village at no cost. He was asked if he would need to access the tower after the initial placement. His tower would only be attached to the railing of the walkway and not to the tower itself. He stated that although he would hope not to have to access the tower again, storms can cause damage that would require maintenance. He is willing to contact someone Council chooses before any access. A safety line will be installed on the ladder and he carries insurance for any damage to or caused by his equipment. He could provide up to 100 Mbps of internet service. He would also be willing to sponsor teams playing in the village. There would be a contract with the village which would state that he is the only one with access to the tower. There will be a clause allowing for the village to cancel the contract at any time, however he would request that he be given a year to build the service before such a decision is made. The contract he uses has been approved by the Logan County Prosecutor through his work with the Sheriff's Department. He uses only unlicensed frequencies which will not interfere with any emergency or other frequencies. Jason Miller requested a copy of the contract so that the solicitor could look it over as well as the finance committee.

Jacob Estes addressed the board. He is running on the Republican ballot for Municipal Court Judge. He is originally from Lima. He has a degree and background in criminal justice. He has worked as a parole officer for juveniles and adults. He earned his law degree and has been an attorney since 2014. He has practiced law in Logan County including criminal defense, family law, probate, etc. He has been a coach and youth pastor in the community. His plan is to build relationships with the people and entities he will be serving as well as reaching out to people with experience who will help him learn how to improve the municipal court system

Acting Mayor, Jason Miller, asked for the approval of the minutes and financial report.

Jeremy Lowe made a motion to approve the minutes of the March 6 meeting. Trish Wilson seconded the motion. All members approved. Motion carried. Tim Rader made a motion to approve the financial report. Chris Crumley seconded the motion. All members approved. Motion Carried.

The bills to be paid were then presented:

Phillip Wright	Mayor Salary	348.47
Zeb Wagner	Solicitor Salary	866.99
Kathy Stierhoff	Fiscal Officer Salary	664.81
Kathy Stierhoff	Mileage	117.90
Chris Coak	Village Employee Salary	1990.95
Tim Jones	Village Part Time Employee Salary	441.65
AES Ohio	Electric	361.07
All American Energy	Gas	991.65
Bellefontaine Examiner	Legal Notice Ordinance	23.81
Gand L Company	Internet Service	25.00

# RECORD OF PROCEEDINGS

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held \_\_\_\_\_ 20 \_\_\_\_\_

Jessica Bergman	Refund Income Tax Payment	682.00
Lowes Home Centers Inc	Keys for Council Room	31.10
Miami Valley Lighting	Street Lights Usage	897.26
NAPA Auto Parts	Oil Change Supplies	226.94
Ohio Department of Taxation	State Tax Withholding Feb/Mar	127.79
OPERS	Retirement Withholding Feb/Mar	2060.23
PNC	Credit Card	
USPS	Postage	96.00
Walmart	Office Supplies	27.21
Public Utilities Commission of Ohio	Damage Prevention Registration	35.00
Shelly Materials	Stone	249.65
Smith Smith & Montgomery	Title Exam & Prep 235 E Mill	300.00
Strayer Co	Water Heater Lions Community Room	1500.00
SV&E Refuse Service	Dumpster	152.50
Treasurer of State of Ohio	UAN fees	382.00
Troyers Engine Shop	Hitch Kit/String	46.49
US Treasury	Federal Tax Withholding Feb/Mar	613.36
Village of Rushsylvania	Municipal Income Tax Withholding Feb/Mar	82.92
Village Tax Collections	Tax Collection Fees	282.66

Chris Crumley made a motion to pay the bills. Sarah Eagy seconded the motion. All members approved. Motion carried

Water/Wastewater Superintendent, Chris Coak submitted a list of projects completed and work to be done. Gallons pumped 1,049,000, Gallons billed 829,900 at 79%. The OEPA tri-annual survey and inspection was completed. There are only 5 items that need corrected and are mostly paperwork adjustments. The pressure differential valve at the water plant needs to be replaced due to age per the report. Quotes have been requested for the cost of a new valve, and Strayer Plumbing has been contacted for a quote on providing manpower to help with the replacement of the valve. Tabletop contingency plan practices have not been performed. A plan is in place to perform these practices going forward. A small tree was cut down behind 155 Railroad Street that was hanging over the property. Training was completed through ORWA and RCAP. The salt spreader and plow were removed from the dump truck. The quarterly sampling of Rush Creek upstream and downstream from the waste water treatment plant was completed. Two barrels of used oil were disposed of through the Logan County Engineers who will recycle it as furnace fuel. The sewer line at 268 S Sandusky was repaired. The lagoon lift pump purchased two years ago became clogged with debris. The cutters were adjusted allowing it to continue working. The cutters may have to be replaced if it continues to clog. The new John Deere mower was delivered. An electrical junction box was replaced at the lift station on State Route 274 as it had been damaged. The UV lighting at the waste water treatment plant was refurbished with new bulbs and quartz lenses. This lighting controls E. coli during the summer months. The village of West Liberty has borrowed the spare aerator for their waste water plant until they are able to replace their damaged one. The playground inspection was completed. Many pieces of equipment need to be repaired or replaced. A list of suggestions was submitted by the inspectors which will be considered by the parks committee. Chris Crumley asked if there were grants for these kinds of projects. Clogged sewer lines were jetted out at 143 Susie Street and 171 N Stewart Street. The parking lot entrance at the ball park had stone added and graded. Electrical work for the venting system and diesel fuel tank at the waste water treatment plant is waiting for the electrician to be available. UV lighting will be installed at the waste water treatment plant and it will be switched to the summer clarifier. A new chopper pump will be picked up and installed at the waste water treatment plant. The electric heater at the waste water treatment plant that quit working shortly after purchase has been replaced under warranty and the old one will be returned.

## OLD BUSINESS

Jason Miller updated Council on the property at 235 E Mill Street. The committee continues to wait for the lawyer to procure the affidavit for the dowry rights on the title.

Jason Miller also updated Council that the noise ordinance and employee manual are near completion and hope to have them ready for approval at the May meeting.

Chris Crumley reported a draft version of the Public Records Request Ordinance is completed. The committee just needs to meet to finalize the draft and send it to Solicitor, Zeb Wagner, to review before presenting it to council.

A discussion was held on the electricity aggregate. There was no new information to share. Solicitor, Zeb Wagner, stated he was willing to review any legislation that was received from a potential aggregation group. Acting Mayor, Jason Miller, asked Chris Crumley to research the aggregation options and report to Council in May.

Fiscal Officer, Kathy Stierhoff, informed the board that the OPIOID settlement documents had been signed by Mayor, Phillip Wright, and submitted.

# RECORD OF PROCEEDINGS

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held \_\_\_\_\_ 20 \_\_\_\_\_

A discussion was held concerning Byhalia.net's request to place an internet tower on the railing of the water tower. Chris Coak informed the board that he personally uses their internet service and the quality and service are very good. Jeremy Lowe asked if the tower at the old Stevenson Construction building was an option. It was determined that the finance committee would look at the contract from Troy Gibson and report back to Council.

Sarah Eagy moved to have Diane Rader removed from the PNC accounts due to retirement and add Mayor, Phillip Wright. Trish Wilson seconded the motion. Jeremy Lowe, yes; Tim Rader, abstained; Chris Crumley, yes; Jason Miller, yes. Motion carried.

## NEW BUSINESS

Sarah Eagy, speaking for the Rushsylvania Ball Association, asked permission for the association to add a practice field in the corner of the ball field area near Rush Street. The association would cover the costs. The space is needed for all teams to have areas to practice. They hope to also be able to rent the fields to travel teams during the off season as practice fields. The extra field will allow for hosting T-Ball tournaments bringing in additional income to the ball association and village businesses. Chris Crumley moved to grant permission for the new field. Trish Wilson seconded the motion. Tim Rader, yes; Jeremy Lowe, yes; Jason Miller, yes; Sarah Eagy, abstained. Motion carried.

The Rushsylvania Ball Association is also requesting that the fields be mowed more often during their season. Chris Coak said they would do their best to do additional mowing in that area.

Sarah Eagy, also speaking for the Rushsylvania Beautification Association, asked if the weeds behind the maintenance building would be removed. Chris Coak said a plan is in place to clear all of the weeds and brush from that area. It was also asked if there is an outdoor water hook up downtown the association could use to water the planters once they are placed. Tim Rader thought there may be an outdoor hookup outside the Lions Community Room. Chris Coak stated that if there were no outdoor hook up, the group was welcome to get water from the maintenance building when he or Tim is working and has it open.

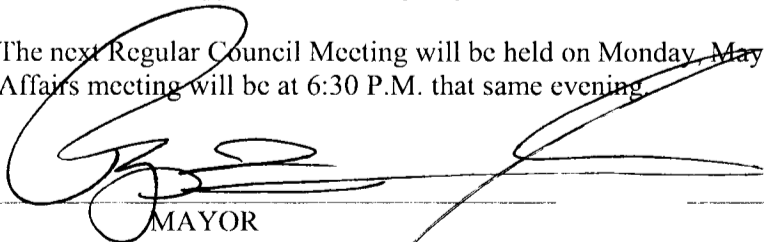
Sarah Eagy also inquired about the old grocery store at 101 N Sandusky Street. There are a large number of pigeons roosting in the open eaves and windows have been broken out recently causing glass to be left on the street and sidewalk below. Solicitor, Zeb Wagner, stated that the village has limited options for the property. They can begin by making a list of complaints against the building, however these may only be items that can be observed from the outside as they could not legally enter the building without the owner's consent. Fiscal Officer, Kathy Stierhoff, stated that there is a property maintenance ordinance from 1999. She forwarded a copy to Mr. Wagner who will review it.

Acting Mayor, Jason Miller, had a message from Mayor, Phillip Wright, stating that the Planning Commission that will meet to update the Zoning Ordinance with assistance from the LUC Regional Planning Commission is in place and the initial meeting just needs to be set.

Fiscal Officer, Kathy Stierhoff, requested a date change for the August meeting. She requests that the meeting be moved back one week from August 7 to August 14 as she will be out of town. Council had no objections to the request.

No other business was presented, so Trish Wilson made a motion to adjourn. Chris Crumley seconded the motion. All approved. Meeting Adjourned.

The next Regular Council Meeting will be held on Monday, May 1, at 7:00 P.M. The Board of Public Affairs meeting will be at 6:30 P.M. that same evening.



MAYOR



FISCAL OFFICER