

# RECORD OF PROCEEDINGS

Minutes of

Meeting

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

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

November 6, 2023

The Village of Rushsylvania Council met in an Open, Publicly Advertised Meeting on Monday, November 6, 2023 at 7:00 P.M. Council Members present included Council President, Jason Miller, Trish Wilson, Jeremy Lowe, Sarah Eagy and Chris Crumley. Mayor, Phillip Wright, Solicitor, Zeb Wagner, Village Employee, Chris Coak, and Fiscal Officer, Kathy Stierhoff were also present. Tim Rader was absent. Visitors present: Vicky Erdy, Jeremy James, Chris Myers, Scott Stanfield, Rachel Stahler, Troy Gibson, Tori Zupan.

Mayor, Phillip Wright, called the meeting to order. The Pledge of Allegiance and Roll Call were given.

Mayor, Phillip Wright, gave the floor to Chris Myers. He stated that he had purchased the property adjacent to the water plant property at 205 Euclid Street. He stated that the village gate to the water plant blocked the access to his driveway when it was open. Solicitor, Zeb Wagner, stated that the property may have to be surveyed to find the exact property lines. Mr. Myers would like to gravel the area from the existing alley over to his property line for access to his driveway. This gravel would be placed on village property. Chris Coak stated that he is already working on getting the gate reversed so that it will no longer block access to the property. Mayor Wright expressed concern about the property line being unsecured between the two properties. Chris Coak said he didn't think it would be an issue. There is a small fence existing along the property line. Sarah Eagy moved to allow Chris Myers to gravel the area between the alley and his property. Chris Crumley seconded the motion. Jeremy Lowe, yes; Trish Wilson, yes; Jason Miller, yes. Motion carried.

Mayor, Phillip Wright, then gave the floor to Jeremy James. Mr. James stated that he lives at 154 N Stewart Street and the alley that runs along his property has ridged up in the middle. It has gotten bad enough that cars have gotten stuck in the alley. Chris Coak stated that the only way to fix the issue is to grade the alley down and repave it. Chris Crumley asked if the alley could be graveled as a temporary solution until it could be repaved. Chris Coak said that would work, but all the gravel would then have to be removed to repave the alley. Solicitor, Zeb Wagner, stated that the project would have to be approved via ordinance. The street committee would need to have a professional inspect the alley and suggest the best way to make repairs. Sarah Eagy suggested shutting down the alley until repairs could be made. Mr. James stated that residents along the alley use it for access to driveways. Ms. Eagy suggested shutting the alley down to all thru traffic as an alternative which would avoid unsuspecting motorists from getting stuck but allowing residents to use the alley. Chris Coak said he didn't know if the village had the proper signage, but he could get some. Sarah Eagy moved to place signage that would close the alley to all thru traffic until repairs could be made. Chris Crumley seconded the motion. Jeremy Lowe, yes; Trish Wilson, yes; Jason Miller, yes. Motion carried.

**BUSINESS**

Mayor, Phillip Wright, asked for the approval of the minutes and financial report.

Chris Crumley made a motion to approve the minutes of the October 12 meeting. Trish Wilson seconded the motion. All members approved. Motion carried. Sarah Eagy made a motion to approve the financial report. Jason Miller 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	88.43
Chris Coak	Village Employee Salary	1939.50
Chris Coak	Reimburse water Purchase	6.99
Tim Jones	Village Part Time Employee Salary	615.02
AES Ohio	Electric Sept/Oct	505.95
All American Energy	Gas	104.95
Bellefontaine Examiner	Legal Notice Meeting Change	18.21
Bobcat Multiworks	Concrete Work Susie Street	1400.00
GandL Company	Internet Service Oct/Nov	50.00
Lowes Home Centers Inc	Misc Supplies	10.43
Miami Valley Lighting	Street Lights Usage	897.26
NAPA Auto Parts	Oil Change Supplies	134.45
Ohio Dept of Taxation	State Tax Withholding	65.41
Ohio Municipal League	2024 Membership	245.00
OPERS	Employee Employer Withholding	1048.99
PNC	Credit Card	

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Rushsylvania One Stop	Fuel	165.19
USPS	Postage	1.95
SV&E Refuse Service	Dumpster Sept/Oct	152.50
US Treasury	Federal Tax Withholding	303.94
Village of Rushsylvania	Municipal Income Tax Withholding	43.69
Village Tax Collections	Municipal Tax Collection Fees	306.12
Wreede Printing	Late Bill Notices Door Hangers	200.00

Trish Wilson moved to pay the bills as presented. Chris Crumley seconded the motion. All members approved. Motion carried.

**CHRIS COAK REPORT**

Water/Wastewater Superintendent, Chris Coak, submitted a list of projects completed and work to be done. Gallons pumped 1,046,000, Gallons billed 712,000 at 68%. The hydrants were flushed. The cover needed to be pulled a hydrant and oil added. The IamGIS software license was renewed. Two days of training were completed with Ohio Rural Water Association. Storm tile was repaired on Euclid Street by Logan Construction. The lagoon pump had to be pulled multiple times. It was discovered that the check valve was clogged with wipes and had to be cleaned out. The starter overload was replaced for the lagoon pump. The wiring in the meter at 141 S Stewart Street was damaged and had to be rewired. All the special samples for the year have been completed and reported. The leaf cage has been mounted and the billy goat has been prepped for leaf pick up which will begin November 13. A pothole on Miami Road was filled with blue stone. It will be patched next summer. Preventive maintenance was performed on the Bobcat skid steer. Shelly Company paved Walnut Street and S Stewart Street as part of the Ohio Public Works funds projects. The water tower inspection has been scheduled for November 9. The entry gate at the water plant needs to be reversed to open access to a property that was recently purchased. The waste water treatment license will be renewed. Annual community drop files were submitted to OEPA. The mower will be taken to Koenig Equipment for its annual service.

Sarah Eagy informed the board that the Rushsylvania Beautification Association would like to "light up" Memorial Park downtown for the holidays. She asked if help could be given to put lights in the taller trees. Solicitor, Zeb Wagner, stated that he didn't believe volunteer work could be completed with village equipment. Chris Coak stated that equipment to hang lights may need to be rented. Mr. Wagner also stated that the RBA would need to be charged for the electricity used by the Christmas lights. Jason Miller stated he believed the village could use past electricity bills to figure out the rate charged and extra usage above last year. A special meeting was discussed for Monday, November 13, to allow time to draw up an ordinance for passage. Jeremy Lowe expressed his concern with estimating the power usage. He suggested figuring the wattage of the light strings and working out the amount of electricity that would be used over the time the lights are used. After continued discussion, no action was taken on the issue.

**KATHY STIERHOFF, FISCAL OFFICER**

The Finance Committee has not had a chance to review the suggestions from PNC Bank so there was no action taken.

Mrs. Stierhoff informed Council that she had completed the Certified Public Records Training as a representative of Council. Her written notes were emailed to all members of Council and the Mayor. Members were invited to reach out with any questions from the notes.

**PHILLIP WRIGHT, MAYOR**

Mayor Wright communicated with the Logan County Sheriff's office concerning extra coverage for the Village. Any extra coverage requested would have a cost of \$40.00 per hour. Lake Township contracts for 40 hours per week. West Mansfield contract for 3-4 times per week during Honda traffic. No action was taken.

The Planning Commission is meeting with Brad Bodenmiller on Wednesday in the Council Room.

Mayor Wright stated he needs one more member to volunteer for the Board of Zoning Appeals. Tori Zupan stated that her husband, Tom Zupan, is willing to take that seat.

Mayor Wright informed Council that he checked on the status of the Village share of the Logan County Sales Tax Fund. It currently stands at a little over \$70,000.00. This is before the Village share of the Ohio Public Works Commission project is deducted.

There have been reports of a door to door salesman using aggressive sales tactics. Mayor Wright suggested that Council create an ordinance that addresses these types of sales in the Village.

During a meeting that included the Logan County EMA and local government officials, it was suggested to prepare for the April 8, 2024 eclipse. There were warnings of a large influx of people from all over and

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the possibility of internet and radio signals being jammed. Emergency measures need to be in place for these types of issues.

Mayor Wright recommended starting a social media page for the Village. He asked Council to look at the pages for Marysville and Troy. Marysville allows comments. Troy does not.

Mayor Wright was contacted by the Logan County EMA with news that the Hazard Mitigation Plan was being presented to the Logan County Commissioners for approval this week. If the plan is approved, it will come to the Village for adoption.

The owner of 119 Rush Street has been served with notice of noncompliance with Ordinance 782-99 which addresses property maintenance in the village. The letter gave the option of turning the property over to the Village. The owner expressed an interest in turning over the property, however she has people interested in the property and would like to explore those options first.

Resident Vicky Erdy stated that there is a board hanging off the property at 101 N Sandusky Street in danger of falling off onto the public sidewalk.

The Board of Public Affairs will have two openings beginning the first of the year. Council will need to appoint two new members to the board.

## COMMITTEE REPORTS

Street Committee –

Parks Committee – Trish Wilson stated that a quote has been received for a merry go round. Sarah Eagy replied that the Finance Committee has met with Representative Jon Cross and were told that funding may be available to improve the playground especially for making it handicapped accessible. The application for this is due in December.

Code Enforcement Committee –

Records Committee –

Ordinance Committee – Sarah Eagy stated that she is not receiving ordinances as they are prepared. Solicitor, Zeb Wagner, stated that this committee is a rules committee and deals with Municipal laws. Ms. Eagy would like the committee to be clarified and possibly renamed to better align with its purpose.

Finance Committee – The security cameras that Mayor Wright researched are solar powered and require 4G to operate. The company only works with TMobile internet. Camera options will need to continue to be researched.

The committee met with USI Insurance representative, Rob Beglin to go over our yearly insurance needs and offer a quote for their services. The committee is waiting for a quote from Stolly Insurance.

There have been changes to the Municipal Tax Code. House Bill 33 added some requirements. A new tax code for the Village needs to be implemented before the end of the year. Solicitor, Zeb Wagner, redrafted the ordinance and sent it to the Finance Committee with changes highlighted. Sarah Eagy asked if the penalty for not paying on the taxes throughout the year could be eliminated during this redrafting. Mr. Wagner stated that he would need any changes by the week of November 27 so that the ordinance could be completed for passage on December 4.

Representative, Jon Cross, offered ideas for grant funds. He will send documents for available grants. The Village has begun the process to request a grant from ODOT that required nonmotorized transportation projects. The committee chose to pursue a grant to add and replace sidewalks along Euclid Street and Rush Street connecting the Rushsylvania Church of Christ and the Park on Rush Street. The full cost will be \$652,000.00 funded 95% by the grant. The Village cost will be \$30,000.00 plus some fees. The Village should receive word by the end of November if the grant application will continue to the next round. Representative Cross promised to lobby for the Village grant application.

The Finance Committee recommended awarding the contract for internet tower installation on the water tower to Byhalia.net.

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## OLD BUSINESS

There is no new information on the County Road 9 paving project which could potentially extend into the Village to State Route 274.

Chris Coak informed Council that paving the downtown station driveway with concrete will be a stronger option and cheaper with less maintenance if it is sealed. Chris Crumley stated that it seems to be a simple decision to choose the option that is cheaper and more durable. Mayor Wright requested that Solicitor Wagner prepare an ordinance for the paving for the next meeting. Chris Crumley will forward the needed information.

Chris Coak asked Council if they wanted to move forward with having the Lions Community Room Building painted. Sarah suggested the project be locked in for next year's painting season. Solicitor Wagner will prepare an ordinance for the next meeting. Ms. Eagy also asked about having the back part of the building tuck pointed as there are birds living between the bricks. Chris Coak will check into this area of the building.

## NEW BUSINESS

Tillman Infrastructure LLC was issued a permit to build a 318 foot self support communications tower at the approximate vicinity of 270 Rush Street.

Sarah Eagy stated that Council needs to draft an ordinance covering all activities that take place on Village property which states how the village will allow or charge for electrical service from village meters.

## LEGISLATIVE

### Resolutions

Jeremy Lowe moved to suspend the rules to pass on second reading Resolution 1241-23 ACCEPTING AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. Trish Wilson seconded the motion. Chris Crumley, yes; Jason Miller, yes; Sarah Eagy, yes. Motion carried.

Jason Miller moved to pass Resolution 1241-23 ACCEPTING AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. Jeremy Lowe seconded the motion. Chris Crumley, yes; Trish Wilson, yes; Sarah Eagy, yes. Motion carried.

Chris Crumley moved to suspend the rules for Resolution 1249-23 A RESOLUTION AUTHORIZING THE FISCAL OFFICER TO TRANSFER APPROPRIATIONS FROM ONE LINE ITEM TO ANOTHER WITHIN THE SAME FUND MAKING IT RETROACTIVE TO JANUARY 1, 2023. Jeremy Lowe seconded the motion. Trish Wilson, yes; Sarah Eagy, yes; Jason Miller, yes. Motion carried.

Trish Wilson moved to pass Resolution 1249-23 A RESOLUTION AUTHORIZING THE FISCAL OFFICER TO TRANSFER APPROPRIATIONS FROM ONE LINE ITEM TO ANOTHER WITHIN THE SAME FUND MAKING IT RETROACTIVE TO JANUARY 1, 2023. Chris Crumley seconded the motion. Jeremy Lowe, yes; Sarah Eagy, yes; Jason Miller, yes. Motion carried.

### Ordinances

Jeremy Lowe moved to suspend the rules to pass on second reading Ordinance 1242-23 AN ORDINANCE TO ENTER INTO A PURCHASE AGREEMENT WITH 1879 ELECTRIC LTD. FOR A VENTILATION SCREEN ROOM AND WIRE TO DIESEL FUEL TANK AND DECLARING AN EMERGENCY IN THE VILLAGE OF RUSHSYLVANIA, OHIO. Chris Crumley seconded the motion. Jason Miller, yes; Trish Wilson, yes; Sarah Eagy, yes. Motion carried.

Chris Crumley moved to pass Ordinance 1242-23 AN ORDINANCE TO ENTER INTO A PURCHASE AGREEMENT WITH 1879 ELECTRIC LTD. FOR A VENTILATION SCREEN ROOM AND WIRE TO DIESEL FUEL TANK AND DECLARING AN EMERGENCY IN THE VILLAGE OF RUSHSYLVANIA, OHIO. Jason Miller seconded the motion. Jeremy Lowe, yes; Trish Wilson, yes; Sarah Eagy, yes. Motion carried.

Trish Wilson moved to suspend the rules to pass on second reading Ordinance 1243-23 AN ORDINANCE TO ENTER INTO A PURCHASE AGREEMENT WITH BUCKEYE PUMPS FOR A

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PUMP REPAIR AND DECLARING AN EMERGENCY IN THE VILLAGE OF RUSHSYLVANIA, OHIO. Chris Crumley seconded the motion. Jeremy Lowe, yes; Jason Miller, yes; Sarah Eagy, yes. Motion carried.

Chris Crumley moved to pass Ordinance 1243-23 AN ORDINANCE TO ENTER INTO A PURCHASE AGREEMENT WITH BUCKEYE PUMPS FOR A PUMP REPAIR AND DECLARING AN EMERGENCY IN THE VILLAGE OF RUSHSYLVANIA, OHIO. Jeremy Lowe seconded the motion. Trish Wilson, yes; Jason Miller, yes; Sarah Eagy, yes. Motion carried.

Chris Crumley moved to suspend the rules to pass on second reading Ordinance 1244-23 AN ORDINANCE TO ENTER INTO A PURCHASE AGREEMENT WITH CORE & MAIN FOR AN INSPECTION CAMERA AND DECLARING AN EMERGENCY IN THE VILLAGE OF RUSHSYLVANIA, OHIO. Trish Wilson seconded the motion. Jeremy Lowe, yes; Jason Miller, yes; Sarah Eagy, yes. Motion carried.

Jeremy Lowe moved to pass Ordinance 1244-23 AN ORDINANCE TO ENTER INTO A PURCHASE AGREEMENT WITH CORE & MAIN FOR AN INSPECTION CAMERA AND DECLARING AN EMERGENCY IN THE VILLAGE OF RUSHSYLVANIA, OHIO. Chris Crumley seconded the motion. Trish Wilson, yes; Jason Miller, yes; Sarah Eagy, yes. Motion carried.

Chris Crumley moved to suspend the rules to pass on second reading Ordinance 1245-23 AN ORDINANCE TO ENTER INTO A PURCHASE AGREEMENT WITH LEONARD'S AUTOMOTIVE INC. FOR A DUMP TRUCK REPAIR AND DECLARING AN EMERGENCY IN THE VILLAGE OF RUSHSYLVANIA, OHIO. Jeremy Lowe seconded the motion. Jason Miller, yes; Trish Wilson, yes; Sarah Eagy, yes. Motion carried.

Trish Wilson moved to pass Ordinance 1245-23 AN ORDINANCE TO ENTER INTO A PURCHASE AGREEMENT WITH LEONARD'S AUTOMOTIVE INC. FOR A DUMP TRUCK REPAIR AND DECLARING AN EMERGENCY IN THE VILLAGE OF RUSHSYLVANIA, OHIO. Chris Crumley seconded the motion. Jason Miller, yes; Jeremy Lowe, yes; Sarah Eagy, yes. Motion carried.

Chris Crumley moved to suspend the rules to pass on second reading Ordinance 1246-23 AN ORDINANCE TO ENTER INTO A CONTRACT WITH LOGAN CONSTRUCTION LLC TO PROVIDE DEMOLITION SERVICES AND DECLARING AN EMERGENCY IN THE VILLAGE OF RUSHSYLVANIA, OHIO. Trish Wilson seconded the motion. Jason Miller, yes; Jeremy Lowe, yes; Sarah Eagy, yes. Motion carried.

Chris Crumley moved to pass Ordinance 1246-23 AN ORDINANCE TO ENTER INTO A CONTRACT WITH LOGAN CONSTRUCTION LLC TO PROVIDE DEMOLITION SERVICES AND DECLARING AN EMERGENCY IN THE VILLAGE OF RUSHSYLVANIA, OHIO. Jeremy Lowe seconded the motion. Jason Miller, yes; Trish Wilson, yes; Sarah Eagy, yes. Motion carried.

Ordinance 1247-23 AN ORDINANCE ESTABLISHING THE SPENDING AUTHORITY OF THE MAYOR WITHOUT THE APPROVAL OF COUNCIL FOR THE VILLAGE OF RUSHSYLVANIA, OHIO AND DECLARING AN EMERGENCY was presented to Council. Sarah Eagy expressed concern with wording in the ordinance that seemed to give the Mayor singular discretion on all purchases within the spending cap. She was concerned that a mayor could take advantage of that spending authority and would like more control from Council. Jason Miller pointed out it is written "without the approval of counsel" which should be council. That error can be corrected when the ordinance is reworded. Sarah Eagy moved to lay the ordinance on the table until it is removed. Jason Miller seconded the motion. Jeremy Lowe, yes; Trish Wilson, yes; Chris Crumley, yes. Motion carried.

Ordinance 1248-23 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH BYHALIA.NET ON BEHALF OF THE VILLAGE OF RUSHSYLVANIA, OHIO FOR PLACEMENT OF WIRELESS INTERNET ANTENNA(S) ON THE VILLAGE WATER TOWER AND DECLARING AN EMERGENCY IN THE VILLAGE OF RUSHSYLVANIA, OHIO was presented to Council. Chris Crumley asked if the Finance Committee could talk about why they chose Byhalia.net to place their internet tower. The Finance Committee declined to state their reasons. Sarah Eagy moved to suspend the rules for Ordinance 1248-23. Jason Miller seconded the motion. Jeremy Lowe, no; Trish Wilson, yes; Chris Crumley, no. Motion failed. Sarah Eagy moved the pass Ordinance 1248-23 on first reading. Jeremy Lowe seconded the motion. Trish Wilson, yes; Chris Crumley, yes; Jason Miller, yes. Motion carried.

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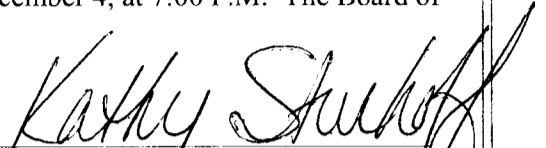
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No other business was presented, so Trish Wilson made a motion to adjourn. Jason Miller seconded the motion. All approved. Meeting adjourned.

The next Regular Council Meeting will be held on Monday, December 4, at 7:00 P.M. The Board of Public Affairs meeting will be at 6:30 P.M. that same evening.

  
MAYOR

  
FISCAL OFFICER