

# AGENDA - Village of Kirkersville

April 3, 2024

Opening: Pledge of Allegiance

Roll Call:	Holly Branham	Mark Davis	Dave Engel
	Jim Kincaid	Carrie Slone	

1. Approval of Agenda
2. Approval of Minutes: march 6, 2024
3. Public Poll – 3 minutes
4. Village Official Report

Mayor  
BPA  
Police Department  
Street Commissioner  
Fire Board  
Engineer  
Planning and Zoning  
Solicitor  
Finance Committee  
Fiscal Officer

5. Legislative Actions  
First Reading – Resolution 02-2024 – A Resolution approving the Economic Development (TREX) Transfer form submitted by VBC Entertainment LLC for 107 E. Main Street and authorizing the mayor to complete and sign the transfer form.

First Reading- Resolution 03-2024 – A Resolution requesting the Licking County Commissioners lower the speed limit, in the northbound lane of Outville Road (SR158) between Keller Road and South Alley Street, to match the southbound lane speed limit (35 mph) and declaring an emergency.

6. Bills - \$26,778.00
7. Old Business
8. New Business
9. Public Poll – 3 minutes
11. Council Poll
12. Adjournment

## Village of Kirkersville Council Meeting Minutes

March 6, 2024

Mayor Ashcraft called the meeting to order at 7:00 p.m.

Council in attendance: Holly Branham, Mark Davis, Dave Engel, Jim Kincaid and Carrie Slone

Also present: Fiscal Officer Shirley Roskoski and Solicitor Brian Zets

### **Appointment of a new council member**

It was moved by Engel, seconded by Davis to appoint Darren Coe to Council.

Following vote on the motion is recorded: yea, 5; Branham, Davis, Engel, Kincaid and Slone.  
Nay, none.

### **Agenda**

It was moved by Kincaid, seconded by Engel to approve the agenda. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Coe and Slone. Nay, none.

### **Minutes**

It was moved by Branham, seconded by Davis to approve the minutes of February 7, 2024.  
Following vote on the motion is recorded: yea, 5; Branham, Davis, Engel, Kincaid and Slone.  
Nay, none. Abstain, one; Coe.

It was moved by Davis, seconded by Kincaid to approve the minutes of February 20, 2024.  
Following vote on the motion is recorded: yea, 5; Branham, Davis, Engel, Kincaid and Slone.  
Nay, none. Abstain, one; Coe.

### **Mayor**

Mayor Ashcraft said the fines for the month are \$547.00

He informed Council that the speed limit will be reduced on Outville Road. It is going back to 35 mph.

### **BPA**

Mayor Ashcraft said the filters need to be replaced at the treatment plant. Those could cost up to \$40,000.00.

### **Police**

Mayor Ashcraft said the village is back to having a cat problem. Fairfield County will only take 9 cats a month and the cost is 35.00 each to spay or neuter. Bonnie Mansfield said she will take the cats at a cost of \$3,000.00. Council asked how many cats will she take at that price.  
Council said for now let the police handle this.

### **Streets**

Tom Lott has given us a quote of \$2,225.00 to repair numerous storm drops in the village.

It was moved by Kincaid, seconded by Engel to approve the cost of \$2,225.00 to repair the storm drops. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Slone and Coe. Nay, none.

Mayor Ashcraft said the speed signs were delivered but the poles will not arrive until April.

**Fire**

Council member Kincaid said they have moved into Station 4. Station 3 at Columbia and Refugee is moving along nicely/ The tower truck is back in service.

**Planning and Zoning**

Council member Engel said Speedway has pulled back a little bit. We told them we will not meet with them again until they come back with complete plans so that we can vote on it.

**Finance**

Council member Davis read the following fund balances:

General	136,894.51	Street	61,014.34
State Highway	26,755.17	Drug Law Enfct.	3,964.11
Indigent Drivers	400.00	Am. Rescue Plan	56,154.48
Enfct. & Education	80.00	Computer	216.86
Sewer Operating	354,991.17		
For a total of \$640,470.64			

**CAUV Application**

It was moved by Branham, seconded by Engel to approve the application for placement of farmland in an Agricultural District for Jerrold R & Sue Ellen Keller Trustees. Following vote on the motion is recorded: yea, 5; Branham, Davis, Engel, Kincaid and Slone. Nay, none. Abstain, one; Coe.

**Legislative Actions**

First reading – Resolution 02-2024 – A Resolution approving the Economic Development (TRES) Transfer form submitted by VBC Entertainment LLC for 107 E. Main Street and authorizing the Mayor to complete and sign the transfer form.

**Bills**

It was moved by Kincaid, seconded by Davis to pay the bills in the amount of \$18,270.35. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Coe and Slone. Nay, none.

**Old Business**

Council member asked when were the oversized trucks coming through the village. Mayor Ashcraft said one will be coming through on Monday. Council member Kincaid said one is hauling an explosion proof room weighing 400,000 pounds for a plastic facility in Hebron.

**Adjournment**

There being no further business, it was moved by Kincaid, seconded by Davis to adjourn. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Coe and Slone. Nay, none. Meeting adjourned at 7:25 p.m.

\_\_\_\_\_  
Fiscal Officer

\_\_\_\_\_  
Mayor

RESOLUTION NO. 02-2024

ADOPTED \_\_\_\_\_

A RESOLUTION APPROVING THE ECONOMIC DEVELOPMENT (TREX) TRANSFER FORM SUBMITTED BY VBC ENTERTAINMENT LLC FOR 107 E. MAIN STREET AND AUTHORIZING THE MAYOR TO COMPLETE AND SIGN THE TRANSFER FORM

WHEREAS, John Matthews, as Managing Member of VBC Entertainment LLC, submitted an Economic Development Transfer Form for a D-5 Permit to be TREX'd to 107 E. Main Street, Kirkersville, Ohio; and

WHEREAS, the D-5 Permit allows the owner or operator of a retail food establishment or a food service operation, that operates as a restaurant or night club, to sell beer and any intoxicating liquor at retail, only by the individual drink in glass and from the container, for consumption on the premises where sold, from 5:30 a.m. until 2:30 a.m. the following day; and

WHEREAS, R.C. 4303.29 permits the transfer of ownership and location of a D-5 permit from a municipal corporation or the unincorporated area of a township to an economic development project located in another municipal corporation or the unincorporated area of another township in which no additional permits of that class may be issued to the applicant under R.C. 4303.29 (B)(2)(a). However, the transfer may occur only if the applicant notifies the municipal corporation to which the location of the permit will be transferred regarding the transfer and the municipal corporation acknowledges in writing to the division of liquor control that the transfer will be to an economic development project; and

WHEREAS, approval by the Village of Kirkersville does not prohibit the Village from requesting a hearing under R.C. 4303.26 (a hearing on the advisability of the issuance, transfer of ownership, or transfer of location of the permit); and

WHEREAS, approval by the Village of Kirkersville only allows the Division of Liquor Control to start processing the application. The applicant still must meet all applicable rules and regulations before the permit can be issued; and

WHEREAS, VBC Entertainment LLC identified several factors for the Village of Kirkersville to consider, such as

- ❖ Total amount invested in this project: \$100,000.00
- ❖ Ohio Unemployment Tax: \$ 10,000.00
- ❖ Property Tax \$ 3,000.00
  
- ❖ Total number of jobs that will be created: 4

NOW, **THEREFORE, BE IT RESOLVED** by the Council of the Village of Kirkersville, County of Licking, State of Ohio, a majority of the members elected thereto concurring:

SECTION 1: Council for the Village of Kirkersville approves the Economic Development Transfer Form (TREX) submitted by John Matthews, acting as Managing Member of VBC Entertainment LLC, for the new permit address, to wit: 107 E. Main Street, Kirkersville, Ohio.

SECTION 2: Council for the Village of Kirkersville authorizes the Mayor to complete and sign Section G of the TREX Form submitted by John Matthews, acting as Managing Member of VBC Entertainment LLC, for the new permit address, to wit: 107 E. Main Street, Kirkersville, Ohio.

SECTION 3: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision-making bodies of the Village of Kirkersville which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.


SECTION 5: This resolution shall take effect at the earliest time allowed by law.

\_\_\_\_\_  
Terry Ashcraft, Mayor

ATTEST: \_\_\_\_\_  
Shirley Roskoski, Clerk of Council

APPROVED:

Approved as to form this 28<sup>th</sup> day of February 2024:

  
\_\_\_\_\_  
Brian M. Zets  
Village Solicitor

RESOLUTION NO. 03-2024

ADOPTED \_\_\_\_\_

A RESOLUTION REQUESTING THE LICKING COUNTY COMMISSIONERS LOWER THE SPEED LIMIT, IN THE NORTHBOUND LANE OF OUTVILLE ROAD (SR 158) BETWEEN KELLER ROAD AND SOUTH ALLEY STREET, TO MATCH THE SOUTHBOUND LANE SPEED LIMIT (35 MPH) AND DECLARING AN EMERGENCY

WHEREAS, when the 251-acre parcel (Parcel No. 025-080076-00.000) on the east side of Outville Road detached from the Village of Kirkersville, the northbound lane of Outville Road (between Keller Road and South Alley Street) also left the Village; and

WHEREAS, soon after this parcel detached, Harrison Township raised speed limit, in the northbound lane, to 55 m.p.h.; and

WHEREAS, since then, residents and visitors race 55 m.p.h. into the Village, on Outville Road, but maintain a safer and more reasonable (35 m.p.h.) as they drive south and leave the Village; and

WHEREAS, the 55-mph. speed limit in the northbound lane of Outville Road is dangerous for several reasons. There are many homes and driveway cuts along the west side of Outville Road. Children catch the school bus along this road. Having cars rush by at nearly highway speed is hazardous and unsafe. In addition, Outville Road is old, narrow, and needs repaired. This stretch of blacktop is not fit for anything more than 35 m.p.h. And finally, having the different speed limits in the northbound and southbound lanes is confusing for motorist; and

WHEREAS, ODOT must approve speed zones for roads and streets to have speed limits set lower than the statutory prima-facie speed limits given in the Ohio Revised Code, regardless of jurisdiction. This includes rural state highways, county and township roads, and streets in both cities and villages; and

WHEREAS, the Licking County Engineer recently indicated that if Council for the Village of Kirkersville asks the Licking County Commissioners to lower the speed in the northbound lane of Outville Road to match the southbound lane, the Commissioners will consider it; and

WHEREAS, if the Commissioners agree, they also will adopt legislation and then submit the request to ODOT for review and potential approval.

NOW, **THEREFORE, BE IT RESOLVED** by the Council of the Village of Kirkersville, County of Licking, State of Ohio, a majority of the members elected thereto concurring:

SECTION 1: Council for the Village of Kirkersville hereby requests the Licking County Commissioners lower the speed limit, in the northbound lane of Outville Road (between Keller Road and South Alley Street), to 35 mph and thereby match the speed limit in the southbound lane.

SECTION 2: The Clerk of Council is directed to forward a certified copy of this Resolution to the Office of Licking County Commissioners (Kenneth W. Oswalt) and the Licking County Engineer (Jared Knerr).

SECTION 3: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision-making bodies of the Village of Kirkersville which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.


SECTION 5: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that this speed limit issue has been bantered about for far too long and needs addressed as soon as possible, for the good of all Village residents. Wherefore, provided this Resolution receives the required affirmative votes of Council, it shall take effect and be in full force immediately upon passage by Council.

\_\_\_\_\_  
Terry Ashcraft, Mayor

ATTEST: \_\_\_\_\_  
Shirley Roskoski, Clerk of Council

APPROVED:

Approved as to form this 25<sup>th</sup> day of March 2024:

  
\_\_\_\_\_  
Brian M. Zets  
Village Solicitor



**Fund Status**

As Of 4/1/2024

Fund Number	Fund Name	% of Total Pooled	Fund Balance	Investments (Non-Pooled)	Checking & Pooled Investments (Pooled)
1000	General	21.570%	\$140,709.01	\$0.00	\$140,709.01
2011	Street Construction Maint. & Repair	8.452%	\$55,132.98	\$0.00	\$55,132.98
2021	State Highway	4.176%	\$27,243.97	\$0.00	\$27,243.97
2081	Drug Law Enforcement	0.608%	\$3,964.11	\$0.00	\$3,964.11
2082	Indigent Drivers Interlock & Alcohol Mon	0.061%	\$400.00	\$0.00	\$400.00
2151	Coronavirus Relief Fund	0.000%	\$0.00	\$0.00	\$0.00
2152	American Rescue Plan	7.321%	\$47,753.48	\$0.00	\$47,753.48
2271	Enforcement and Education	0.012%	\$80.00	\$0.00	\$80.00
2901	Mayor's Court Computer Fund	0.043%	\$280.86	\$0.00	\$280.86
2902	Other Special Revenue	0.000%	\$0.00	\$0.00	\$0.00
4901	Other Capital Projects	0.000%	\$0.00	\$0.00	\$0.00
5201	Sewer Operating	57.757%	\$376,758.16	\$0.00	\$376,758.16
9901	Other Agency	0.000%	\$0.00	\$0.00	\$0.00
<b>All Funds Total</b>			<b>\$652,322.57</b>	<b>\$0.00</b>	<b>\$652,322.57</b>
Pooled Investments					\$0.00
Secondary Checking Accounts					\$0.00
Available Primary Checking Balance					\$652,322.57

Last reconciled to bank: 03/31/2024 – Total other adjusting factors: \$0.00

**Payment Listing**

3/6/2024 to 4/30/2024

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
68-2024	03/06/2024	03/06/2024	EW	US Treasury	\$358.97	C
72-2024	03/23/2024	03/23/2024	EW	OHIO PUBLIC EMPLOYEES RETIREMENT S	\$1,270.77	C
73-2024	03/23/2024	03/23/2024	CH	Isaac Wiles	\$494.00	C
74-2024	03/23/2024	03/23/2024	CH	Isaac Wiles	\$2,088.00	C
75-2024	03/23/2024	03/23/2024	CH	U. S. Bank Equipment Finance	\$138.37	C
77-2024	03/23/2024	03/23/2024	CH	American Electric Power	\$706.97	C
78-2024	03/23/2024	03/23/2024	CH	Verizon Wireless	\$90.27	C
80-2024	03/23/2024	03/23/2024	CH	American Electric Power	\$42.05	C
81-2024	03/23/2024	03/23/2024	CH	American Electric Power	\$119.02	C
83-2024	03/23/2024	03/23/2024	CH	American Electric Power	\$34.57	C
84-2024	03/23/2024	03/23/2024	CH	Park National Bank	\$1,916.46	C
85-2024	03/23/2024	03/23/2024	CH	South Central Power	\$16.00	C
87-2024	03/23/2024	03/23/2024	CH	Columbia Gas of Ohio	\$196.99	C
88-2024	03/23/2024	03/23/2024	CH	Columbia Gas of Ohio	\$105.30	C
90-2024	03/28/2024	04/01/2024	CH	Time Warner Cable	\$183.89	C
91-2024	03/28/2024	04/01/2024	CH	Time Warner Cable	\$266.72	C
92-2024	04/01/2024	04/01/2024	CH	American Electric Power	\$41.07	O
94-2024	04/01/2024	04/01/2024	CH	American Electric Power	\$88.53	O
95-2024	04/01/2024	04/01/2024	CH	South Central Power	\$16.00	O
96-2024	04/01/2024	04/01/2024	CH	American Electric Power	\$1,953.02	O
97-2024	04/01/2024	04/01/2024	CH	Verizon Wireless	\$90.29	O
99-2024	04/01/2024	04/01/2024	CH	Columbia Gas of Ohio	\$128.49	O
100-2024	04/01/2024	04/01/2024	CH	Columbia Gas of Ohio	\$84.63	O
101-2024	04/01/2024	04/01/2024	CH	EFS LLC	\$161.10	O
102-2024	04/01/2024	04/01/2024	CH	Treasurer of State of Ohio	\$762.00	O
103-2024	04/01/2024	04/01/2024	CH	Park National Bank	\$547.57	O
14233	03/06/2024	03/06/2024	PR	TERRY W. ASHCRAFT	\$370.41	C
14234	03/06/2024	03/06/2024	PR	Victoria H Coe	\$934.78	C
14235	03/06/2024	03/06/2024	PR	Holly Branham	\$243.26	C
14236	03/06/2024	03/06/2024	PR	Mark A Davis	\$246.64	C
14237	03/06/2024	03/06/2024	PR	James D Kincaid	\$245.29	C
14238	03/06/2024	03/06/2024	PR	Carrie M Slone	\$246.64	C
14239	03/06/2024	03/06/2024	PR	Nickolas P Takach	\$81.08	O
14240	03/06/2024	03/06/2024	PR	David E Engel	\$234.36	C
14245	03/15/2024	03/15/2024	AW	Gro-Green Lawn and Landscape	\$1,825.00	C
14247	03/15/2024	03/15/2024	AW	Gueye & Associates, CPA	\$6,336.00	C
14248	03/23/2024	03/23/2024	PR	Jack V Christy	\$432.68	C
14250	03/23/2024	03/23/2024	AW	Kevin C. Shannon, Esq.	\$300.00	O
14252	03/23/2024	03/23/2024	PR	Shirley A Roskoski	\$400.63	C
14255	04/01/2024	04/01/2024	AW	Silco Fire and Security	\$132.72	O
14256	04/01/2024	04/01/2024	AW	MNCO	\$59.10	O
14258	04/01/2024	04/01/2024	AW	Arcadis Engineering Services Inc.	\$2,480.00	O
14259	04/01/2024	04/01/2024	AW	Saltworks	\$113.36	O
14260	04/01/2024	04/01/2024	AW	B & C Communications	\$195.00	O
Total Payments:					\$26,778.00	
Total Conversion Vouchers:					\$0.00	

**Payment Listing**

3/6/2024 to 4/30/2024

Total Less Conversion Vouchers: \$26,778.00

Type: AM - Accounting Manual Warrant, AW - Accounting Warrant, IM - Investment Manual Warrant, IW - Investment Warrant, PM - Payroll Manual Warrant, PR - Payroll Warrant, RW - Reduction of Receipt Warrant, SW - Skipped Warrant, WH - Withholding Warrant, WM - Withholding Manual, WS - Special Warrant, CH - Electronic Payment Advice, IL - Investment Loss, EP - Payroll EFT Voucher, CV - Payroll Conversion Voucher, SV - Payroll Special Voucher, EW - Withholding Voucher, POS ADJ - Positive Adjustment, NEG ADJ - Negative Adjustment, POS REAL - Positive Reallocation, NEG REAL - Negative Reallocation

Status: O - Outstanding, C - Cleared, V - Voided, B - Batch

\* Asterisked amounts are not included in report totals. These transactions occurred outside the reported date range but are listed for reference.