

AGENDA - Village of Kirkersville
January 3, 2024

Opening: Pledge of Allegiance

| | | | |
|------------|-------------|--------------|---------------------|
| Roll Call: | Mark Davis | Dave Engel | Jessica Forsthoefel |
| | Jim Kincaid | Carrie Slone | Nick Takach |

1. Approval of Agenda
2. Approval of Minutes: December 6, 2023
3. Election of President Pro-Tempore of Council
4. Public Poll – 3 minutes
5. Village Official Report
 - Mayor – Organizational Meeting
 - BPA
 - Police Department
 - Street Commissioner
 - Fire Board
 - Engineer
 - Planning and Zoning
 - Solicitor
 - Finance Committee
 - Fiscal Officer
6. Legislative Actions
 - First Reading – Resolution 01-2024 – A Resolution authorizing the Mayor to enter into a contract with the Licking County Board of Commissioners for reimbursement of legal counsel for indigent defendants for the Village of Kirkersville, Licking County, Ohio and declaring an emergency.
7. Bills - \$10,799.15
8. Old Business
9. New Business
10. Public Poll – 3 minutes
11. Council Poll
12. Adjournment

Village of Kirkersville Council Meeting Minutes

December 6, 2023

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

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

Also present: Fiscal Officer Shirley Roskoski and Solicitor Brian Zets

Agenda

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

Minutes

It was moved by Takach, seconded by Davis to approve the minutes of November 1, 2023. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Slone and Takach. Nay, none.

Public Poll

Todd Ward, Red Rock, said he hopes everyone had a good Thanksgiving. On the agenda is the final reading for the CRA. They are still working with ODOT on the limited access road. He said this may not be approved until sometime in the spring, which is normal.

Mayor

Mayor Ashcraft said the fines for the month were \$598.00.

Police Chief

Chief DeLawder went over the monthly stats. He then went over the reports from the new speed radar signs that were installed a month ago. He said there were 51,970 vehicles traveling through Kirkersville. Coming from the west there were 27,841 vehicles and from the east 24,149 vehicles. The average speed from the east was 44 mph and from the west 48 mph. The speed dropped to 34 after first contact with the sign. There were 11,000 violators coming from the east and 17,000 violators coming from the west. The busiest traffic times were 10:45 a.m. – 1:50 p.m. and 4:00 p.m. – 6:00 p.m.

Streets

Council member Kincaid said he received a quote from Gro-Green for plowing and salting this winter. The main streets were \$380.00, with salt \$375.00. If snow got to 4" or more the alleys would be cleared for \$480.00.

It was moved by Kincaid, seconded by Takach to approve the quote from Gro-Green for plowing and salting. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Slone and Takach. Nay, none.

Fire Board

Council member Kincaid they expect to be moving into Station 4 before January 1.

Planning and Zoning

Council member Engel said P & Z met last night to work on the zoning book. John Thomas is interested in becoming a member. Their next meeting is December 20 at 6:00 p.m.

Solicitor

Brian said he worked on the Water and Sewer District Agreement. What you have in your packet tonight is an updated Water and Sewer District agreement. There were a couple of changes that have been made. One of the changes made was we had asked if the District would include language where they would use their best efforts to secure as much funding as they could. They have always agreed to do that but I don't think that language was in the agreement itself. As of this morning there was another change that was made. They agreed to add Palmer, Loop and Keller Road to the project area so that, down the line, they can take advantage of a similar agreement as the current project. What I would ask council to do, in order to get this version that is truly in front of you, is to ask for a motion to amend Resolution 18-2023 by substitution, so you will basically then substitute the version in front of you that was printed late this morning, to pull into the resolution. Once that motion is passed you can then adopt Resolution 18-2023 as amended.

Finance

Council member Davis read the following fund balances:

| | | | |
|------------------|------------|----------------------|------------|
| General | 143,932.64 | American Rescue Plan | 56,154.48 |
| Street | 63,059.04 | Enfct. & Education | 80.00 |
| State Hwy. | 25,849.13 | Court Computer | 1,269.86 |
| Drug Law Enfct. | 3,964.11 | Sewer Operating | 342,837.42 |
| Indigent Drivers | 400.00 | | |

For a total of \$637,546.68

Legislative Actions

Third reading – Ordinance 08-2023 – An Ordinance authorizing, directing, and approving the execution of a Community Reinvestment Area agreement between the Village of Kirkersville and RRIFI Columbus 184 Land, LLC.

It was moved by Takach, seconded by Engel to adopt Ordinance 08-2003. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Slone and Takach. Nay, none.

Third Reading – Resolution 16-2023 – A Resolution authorizing and directing the Mayor and Fiscal Officer to execute a Donation Agreement with RRIFI Columbus 184 Land, LLC and Southwest Licking School District.

It was moved by Takach, seconded by Kincaid to adopt Resolution 16-2023. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Slone and Takach. Nay, none.

Third Reading – Resolution 17-2023 – A Resolution authorizing and directing the Mayor and Fiscal Officer to execute a Donation Agreement with RRIFI Columbus 184 Land, LLC and Career and Technical Education Centers of Licking County.

It was moved by Engel, seconded by Takach to adopt Resolution 17-2023. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Slone and Takach. Nay, none.

It was moved by Kincaid, seconded by Engel to amend Resolution 18-2023 by substitution. Following vote on the motion was recorded: yea, 6; Branham, Davis, Engel, Kincaid, Slone and Takach. Nay, none.

Third Reading – Resolution 18-2023 – A Resolution authorizing and directing the Mayor and Fiscal Officer to execute an Intergovernmental Agreement with the Southwest Licking Community Water and Sewer District.

It was moved by Kincaid, seconded by Takach to adopt Resolution 18/2023 as an emergency.

Council member Engel said there has been a lot of talk about this and a lot of discussion since the first reading. One of the things I have a question about is we had a couple of feelers put out that if council adopted this they would put in a referendum. I don't know exactly how many signatures are required to put a referendum on the ballot. I was told that if a referendum was submitted, it would put a hold on this whole process until the referendum was voted on and that would not happen until next year. Would it make any sense to put it on as a motion for the village to put a ballot issue on this spring rather than waiting to see if the referendum went through?

Brian said I don't know the answer to that. Brian said the time frame to file a referendum petition is thirty days.

Council member Engel said I was just trying to think how we can move this forward as expeditiously as possible.

Following vote on the motion is recorded: yea 5; Branham, Davis, Engel, Kincaid and Takach. Nay, one; Slone.

First Reading – Resolution 19-2023 – A Resolution authorizing the Licking County Commissioners to act as the Purchasing Agent and Governmental Aggregator for Electric Power for the Village of Kirkersville and declaring an emergency.

It was moved by Takach, seconded by Kincaid to suspend with the rules. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Slone and Takach. Nay, none.

It was moved by Takach, seconded by Kincaid to adopt Resolution 19-2023 as an emergency.. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Slone and Takach. Nay, none.

First Reading – Resolution 20-2023 – a Resolution authorizing the Licking County Commissioners to act as the Purchasing Agent and Governmental Aggregator for Natural Gas Aggregation Program for the Village of Kirkersville and declaring an emergency.

It was moved by Engel, seconded by Takach to suspend with the rules. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Slone and Takach. Nay, none.
It was moved by Kincaid, seconded by Takach to adopt Resolution 20-2023 as an emergency. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Slone and Takach. Nay, none.

First Reading – Ordinance 11-2023 – An Ordinance to increase the Mayor’s rate of pay.
It was moved by Engel, seconded by Kincaid to suspend with the rules. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Slone and Takach. Nay, none.
It was moved by Kincaid, seconded by Engel to adopt Ordinance 11-2023 as an emergency. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Slone and Takach. Nay, none.

Bills

It was moved by Takach, seconded by Davis to pay the bills in the amount of \$25,358.62. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Slone and Takach. Nay, none.

New Business

Mayor Ashcraft said there was a waterline break in the men’s bathroom in the basement and he received a quote from Tom Lott to install a new floor and a new vanity at the cost of \$1,475.00. It was moved by Kincaid, seconded by Takach to approve \$1,475.00 for these repairs. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Slone and Takach. Nay, none.

Council member Engel asked if we want to consider purchasing additional batteries for the speed limit signs. He will look at the cost and bring it back to council.

Mayor Ashcraft said he met with the County Engineer to discuss the speed limit on Outville Road. He was told that paving is at the top of his list, speed signs are not.

Adjournment

There being no further business, it was moved by Kincaid, seconded by Takach to adjourn. Following vote on the motion is recorded: yea, 6; Branham, Davis, Engel, Kincaid, Slone and Takach. Nay, none. Meeting adjourned at 7:58 p.m.

Fiscal Officer

Mayor

RESOLUTION 01-2024

ADOPTED: _____

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE LICKING COUNTY BOARD OF COMMISSIONERS FOR REIMBURSEMENT OF LEGAL COUNSEL FOR INDIGENT DEFENDANTS FOR THE VILLAGE OF KIRKERSVILLE, LICKING COUNTY, OHIO AND DECLARING AN EMERGENCY

WHEREAS, in circumstances where an indigent individual is charged with a violation of ordinances of the Village of Kirkersville, and that person requests appointed counsel, the Municipal Court will appoint an attorney to provide for the individual's defense; and

WHEREAS, the county provides legal representation for indigent adults through an appointed system adopted in accordance with Ohio Revised Code Section 120.33, and

WHEREAS, the county may contract with a municipal corporation to provide legal representation for indigent persons charged with a violation or an ordinance of a municipal corporation for which the penalty or any possible adjudication includes the loss of liberty, and

WHEREAS, if there is no existing agreement between the Village of Kirkersville and the Licking County Board of Commissioners regarding reimbursement of the counsel appointed for the defendant, Licking County is unable to reimburse such attorney.

WHEREAS, this contract must contain terms in conformance with Ohio Administrative Code 120-1-09 and the parties must follow the Ohio Public Defender Commission standards and guidelines and the limits of the County Maximum Fee Schedule for Appointed Counsel in order for the County to obtain reimbursement for indigent defense costs pursuant to ORC 120.33 and 120.35, and pay the Village its appropriate share.

WHEREAS, an agreement, Resolution 93-306 for Indigent Defense services in Municipal Court with the Licking County Commissioners and the Village of Kirkersville reflecting the terms in conformance with the Ohio Administrative Code 120-1-09 was approved on January 4, 2023, and

WHEREAS, the term of this agreement shall be for one (1) year, January 1, 2024 to December 31, 2024 with the option for renewal for additional one year terms upon proper resolution of each entity agreeing to the one year extension and proper appropriation of funding for the new year.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE OF KIRKERSVILLE, LICKING COUNTY, STATE OF OHIO, that

SECTION 1. The Mayor is hereby authorized to enter into a contract with the Licking County Board of Commissioners for Reimbursement of Legal Counsel for Indigent Defendants for the Village of Kirkersville.

SECTION 3. All legislation or parts thereof that are inconsistent herewith, be and are hereby, repealed and this resolution shall take effect according to law.

SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

SECTION 5. That this Resolution is declared an emergency measure necessary for the health, safety and welfare of the Village and its residents and specifically that this contact goes into effect January 1, 2024 and this resolution shall take effect immediately upon passage.

Fiscal Officer

Mayor

Fund Status

As Of 1/2/2024

| Fund Number | Fund Name | % of Total Pooled | Fund Balance | Investments (Non-Pooled) | Checking & Pooled Investments (Pooled) |
|------------------------|------------------------------------------|-------------------|---------------------|--------------------------|----------------------------------------|
| 1000 | General | 21.676% | \$139,557.90 | \$0.00 | \$139,557.90 |
| 2011 | Street Construction Maint. & Repair | 10.245% | \$65,960.06 | \$0.00 | \$65,960.06 |
| 2021 | State Highway | 4.051% | \$26,078.98 | \$0.00 | \$26,078.98 |
| 2081 | Drug Law Enforcement | 0.616% | \$3,964.11 | \$0.00 | \$3,964.11 |
| 2082 | Indigent Drivers Interlock & Alcohol Mon | 0.062% | \$400.00 | \$0.00 | \$400.00 |
| 2151 | Coronavirus Relief Fund | 0.000% | \$0.00 | \$0.00 | \$0.00 |
| 2152 | American Rescue Plan | 8.722% | \$56,154.48 | \$0.00 | \$56,154.48 |
| 2271 | Enforcement and Education | 0.012% | \$80.00 | \$0.00 | \$80.00 |
| 2901 | Mayor's Court Computer Fund | 0.207% | \$1,333.86 | \$0.00 | \$1,333.86 |
| 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 | 54.409% | \$350,298.07 | \$0.00 | \$350,298.07 |
| 9901 | Other Agency | 0.000% | \$0.00 | \$0.00 | \$0.00 |
| All Funds Total | | | \$643,827.46 | \$0.00 | \$643,827.46 |

Pooled Investments \$0.00
 Secondary Checking Accounts \$0.00
 Available Primary Checking Balance \$643,827.46

Last reconciled to bank: 11/30/2023 – Total other adjusting factors: \$0.00

Payment Listing

12/12/2023 to 12/31/2023

| Payment Advice # | Post Date | Transaction Date | Type | Vendor / Payee | Amount | Status |
|---------------------------------|------------|------------------|------|----------------------------------|-------------|--------|
| 364-2023 | 12/12/2023 | 12/12/2023 | EW | US Treasury | \$360.49 | O |
| 365-2023 | 12/12/2023 | 12/12/2023 | EW | OHIO PUBLIC EMPLOYEES RETIREMENT | \$1,109.85 | O |
| 366-2023 | 12/18/2023 | 12/18/2023 | CH | Isaac Wiles | \$2,316.00 | O |
| 367-2023 | 12/18/2023 | 12/18/2023 | CH | Isaac Wiles | \$1,005.00 | O |
| 369-2023 | 12/18/2023 | 12/18/2023 | CH | BWC State Insurance Fund | \$97.30 | O |
| 370-2023 | 12/18/2023 | 12/18/2023 | CH | Time Warner Cable | \$134.85 | O |
| 372-2023 | 12/18/2023 | 12/18/2023 | CH | American Electric Power | \$41.63 | O |
| 373-2023 | 12/18/2023 | 12/18/2023 | CH | American Electric Power | \$723.20 | O |
| 374-2023 | 12/18/2023 | 12/18/2023 | CH | U. S. Bank Equipment Finance | \$138.37 | O |
| 377-2023 | 12/31/2023 | 12/31/2023 | CH | Time Warner Cable | \$183.89 | O |
| 378-2023 | 12/31/2023 | 12/31/2023 | CH | Time Warner Cable | \$266.72 | O |
| 14169 | 12/18/2023 | 12/18/2023 | PR | Shirley A Roskoski | \$397.74 | O |
| 14171 | 12/26/2023 | 12/26/2023 | AW | Tom Lott Roofing & Remodeling | \$1,550.00 | O |
| 14172 | 12/26/2023 | 12/26/2023 | PR | Shirley A Roskoski | \$397.74 | O |
| 14174 | 12/31/2023 | 12/31/2023 | AW | DELUXE | \$153.67 | O |
| 14176 | 12/31/2023 | 12/31/2023 | PR | Randall C DeLawder | \$1,922.70 | O |
| Total Payments: | | | | | \$10,799.15 | |
| Total Conversion Vouchers: | | | | | \$0.00 | |
| Total Less Conversion Vouchers: | | | | | \$10,799.15 | |

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.