

AGENDA - Village of Kirkersville

November 13, 2024

Opening: Pledge of Allegiance

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

1. Approval of Agenda
2. Approval of Minutes: October 2, 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 08-2024 – A Resolution to consent to the Ohio Department of Transportation Resurfacing with related work and declaring an emergency.

First Reading – Resolution 09-2024 – 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.

First Reading – Ordinance 07-2024 – An ordinance to appropriate funds for current expenses and other expenditures of the Village of Kirkersville, State of Ohio, during the fiscal year ending December 31, 2025 and declaring an emergency.

6. Bills - \$27,461.01
7. Old Business
8. New Business
9. Public Poll – 3 minutes
10. Council Poll
11. Adjournment

Village of Kirkersville Council Meeting Minutes

October 2, 2024

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

Council in attendance: Holly Branham, Darren Coe, Mark Davis, Jim Kincaid, and Carrie Slone.
Council not in attendance: Dave Engel.

Agenda

It was moved by Kincaid, seconded by Davis to approve the agenda. Following vote on the motion is recorded; yea, 5; Branham, Coe, Davis, Kincaid, and Slone. Nay, none.

Minutes

Discussion on the Minutes: Kincaid said he recused on the vote for tree service during New Business in September, and asked that the minutes be amended. The other Council members agreed with him.

It was moved by Branham, seconded by Davis to approve the minutes as amended of September 4, 2024. Following vote on the motion is recorded; yea, 5; Branham, Coe, Davis, Kincaid, and Slone. Nay, none.

Public Poll

Kathy Rostorfer said traffic on W. Main leaving town, especially on Sunday, is fast. Mayor said he will call the Sheriff.

Mayor

Mayor Ashcraft said the fines for the month were \$274.00.

Mayor said the water board wants to have a meeting here at town hall next month to explain to residents how the process works and to update everyone. The date is to be determined.

Mayor said there were two wells in Town that went dry today.

BPA

Judy Casto said the Board had a tour of the sewer plant by the Engineer. The plant has enough gallons (capacity) for now.

Police

Mayor said Shirley has renewed the job advertisement for a new Chief on the state website.

Streets

None

Fire Board

Council member Kincaid said they are not in the Refugee & Columbia Rd station yet. There are issues getting things done. They look for the end of the month to have issues worked out and be ready to move in.

Planning and Zoning

Mayor said there is a Special Council Meeting Wednesday, October 9, 2024, at 6:00 pm to consider approval of a lot split.

Finance

Council member Davis read the following fund balances: General 154,901.96, Street 61,096.09, State Highway 32,532.53, Drug Law Enforcement 3,964.11, Indigent Drivers 400.00, American Rescue Plan 4,033.48, Enforcement and Education 80.00, Mayor's Court Computer 648.86, and Sewer Operating 395,818.61, for a total of \$653,475.64.

Legislative Actions

None

Bills

It was moved by Davis, seconded by Branham to pay the bills in the amount of \$25,361.22. Following vote on the motion is recorded; yea, 5; Branham, Coe, Davis, Kincaid, and Slone. Nay, none.

Old Business

None

New Business

Council received a letter from Jessica Forsthoefel, 220 E. Main Street, requesting the Village to pay half of the cost of a sidewalk replaced in front of her house in 2016. Council Member Davis asked Attorney Zets what obligation the Village has in this matter. Zets said none; the property owner has the responsibility.

Following vote on whether to reimburse Jessica Forsthoefel for sidewalk replacement is recorded; Nay, 5; Branham, Coe, Davis, Kincaid, and Slone.

Mayor asked Council if they want to contract with the water district to provide water to the police station and the sewer plant. Council member Coe asked the benefit at the sewer plant. Mayor said they could wash filters, etc. Council member Kincaid said he is in favor because wells are drying quickly. Council member Davis asked how many wells have gone dry. Mayor said 20 or more, even though the water district says they aren't pumping their wells in town. It was moved by Kincaid, seconded by Branham to contract with the water district to provide water to the police station and the sewer plant. Following vote on the motion is recorded; yea, 5; Branham, Coe, Davis, Kincaid, and Slone. Nay, none.

Mayor said the Village-owned lot in town was surveyed and asked Council if they would like to put 4x4 posts with cable to mark the boundaries. The empty lot next to it has a few vehicles parked there. Council would like to see some costs. Mayor will have those at the next meeting.

Public Poll

Jim Raver asked if the wells going dry are clustered in any particular spots in town. He has not seen anyone at the wells behind him. Mayor said some are east side of town, some middle, and on 3rd and Channel Streets.

Judy Casto said her tenants, the Smoke Shop, need to pay permit fees for the new sign they hung.

Council Poll

None

Adjournment

There being no further business, it was moved by Kincaid, seconded by Coe to adjourn. Following vote on the motion is recorded; yea, 5; Branham, Coe, Davis, Kincaid, and Slone. Nay, none. Meeting adjourned at 7:17 p.m.

Fiscal Officer

Mayor

A RESOLUTION TO CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION RESURFACING WITH RELATED WORK AND DECLARING AN EMERGENCY.

SECTION 1. Project Description

Whereas, the Ohio Department of Transportation (ODOT) has determined the need for the described project:

Resurfacing with related work. Preventative maintenance work on bridges within the resurfacing limits. Scope of work within Village will include resurfacing.

NOW THEREFORE, be it ordained by the Council of the Village of Kirkersville, Licking County, Ohio.

SECTION 2. Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION 3. Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the development and construction of the above described project as follows:

1. The LPA gives consent for the above improvement, and
2. The LPA further agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the project.

SECTION 4. Utilities and Right-of-Way Statement

If village owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the village will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for relocation; with exceptions due to an easement, etc.

SECTION 5. Maintenance

Upon completion of the project, and unless otherwise agreed the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION 6. Authority to Sign

The LPA hereby authorizes Terry Ashcraft, Mayor, of the Village of Kirkersville is hereby empowered on behalf of he Village of Kirkersville to enter into agreements with the Director of Transportation which are necessary to complete the above described project.

SECTION 7.

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 8.

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 the Village needs to return this resolution to ODOT as soon as possible. Wherefore, provided this Ordinance receives the required affirmative votes of Council, this Ordinance shall take effect and be in force immediately upon passage by Council.

Passed in Council this _____ of November 2024.

Attest _____
Fiscal Officer

Mayor

RESOLUTION 09-2024

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 and 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 122-86 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 25, 2024, and

WHEREAS, the term of this agreement shall be for one (1) year, January 1, 2025 to December 31, 2025 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, 2025 and this resolution shall take effect immediately upon passage.

Passed in Council this _____ day of November 2024.

Attest: _____

AN ORDINANCE TO APPROPRIATE FUNDS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF KIRKERSVILLE, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2025 AND DECLARING AN EMERGENCY.

SECTION 1. Be it resolved by the Council of the Village of Kirkersville, State of Ohio, that to provide for current expenses and other expenditures of the said Village of Kirkersville during the fiscal year ending December 31, 2025, the following sums be and they are hereby set aside and appropriated as follows:

SECTION 2. That there be appropriated from the GENERAL FUND

Police Law Enforcement		
Personal Services	36,020.40	
All other expenses	18,392.00	
Total Police Law Enforcement		54,412.40
COMMUNITY ENVIRONMENT		
Community Planning and Zoning		
Personal Services	9,236.00	
All other Expenses	16,000.00	
TOTAL COMMUNITY ENVIRONMENT		25,236.00
GENERAL GOVERNMENT		
Mayor		
Personal Services	5,459.00	
All other Expenses	3,048.00	
Total Mayor		8,507.00
Council		
Personal Services	7,100.00	
Total Council		7,100.00
Mayor's Court		
Personal Services	6,927.00	
All other expenses	16,300.00	
Total Mayor's Court		23,227.00
Fiscal Officer		
Personal Services	16,509.35	
Total Fiscal Officer		16,509.35

Lands and Buildings		
All other expenditures	58,100.00	
Total Lands and Buildings		58,100.00
Solicitor		
Contractual Services	14,000.00	
Total Solicitor		14,000.00
Other General Government		
All other expenditures	33,200.00	
Total Other General Government		33,200.00

GRAND TOTAL GENERAL REVENUE FUNDS 240,291.75

SECTION 3. That there be appropriated from the following SPECIAL EVENUE FUNDS
TRANSPORTATION

STREET CONST. MAINTENANCE AND REPAIR
 All other Expenses 88,000.00

TOTAL STREET CONST. MAINT. AND REPAIR 88,000.00

STATE HIGHWAY
 All other Expenses 40,000.00

TOTAL STATE HIGHWAY 40,000.00

DRUG LAW ENFORCEMENT
 All other Expenses 3,964.11

TOTAL DRUG LAW ENFORCEMENT 3,964.11

ENFORCEMENT AND EDUCATION
 All other expenses 80.00

TOTAL ENFORCEMENT AND EDUCATION 80.00

MAYOR'S COURT COMPUTER FUND
 All other Expenses 1,100.00

TOTAL MAYOR'S COURT COMPUTER FUND 1,100.00

GRAND TOTAL SPECIAL REVENUE FUNDS 133,144.11

SECTION 4 That there be appropriated from the following BASIC UTILITY SERVICE FUND
SEWER OPERATING

Personal Services	9,500.00
All other Expenses	570,500.00

TOTAL SEWER OPERATING FUND	580,000.00
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GRAND TOTAL ALL FUNDS	953,435.86
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SECTION 5. And the Fiscal Officer is hereby authorized to draw warrants on the Village Treasurer for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers thereof, approved by an ordinance of Council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance. Provided further that the appropriations for contingencies can only be expended upon two-thirds vote of Council for items of expense constituting a legal obligation against the Village, and for purposes other than those covered by other specific appropriations herein made.

SECTION 6. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance 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 7. That this ordinance is declared an emergency measure necessary for the public health, safety, and welfare of the residents of Kirkersville and that this ordinance shall take effect immediately upon its passage.

Passed in Council this _____ day of November 2024

Attest: _____
Fiscal Officer

Fund Status

As Of 11/9/2024

Fund Number	Fund Name	% of Total Pooled	Fund Balance	Investments (Non-Pooled)	Checking & Pooled Investments (Pooled)
1000	General	24.417%	\$163,845.03	\$0.00	\$163,845.03
2011	Street Construction Maint. & Repair	9.632%	\$64,635.68	\$0.00	\$64,635.68
2021	State Highway	4.924%	\$33,038.96	\$0.00	\$33,038.96
2061	State Grant	0.000%	\$0.00	\$0.00	\$0.00
2081	Drug Law Enforcement	0.591%	\$3,964.11	\$0.00	\$3,964.11
2082	Indigent Drivers Interlock & Alcohol Mon	0.060%	\$400.00	\$0.00	\$400.00
2151	Coronavirus Relief Fund	0.000%	\$0.00	\$0.00	\$0.00
2152	American Rescue Plan	0.601%	\$4,033.48	\$0.00	\$4,033.48
2271	Enforcement and Education	0.012%	\$80.00	\$0.00	\$80.00
2901	Mayor's Court Computer Fund	0.100%	\$672.86	\$0.00	\$672.86
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	59.663%	\$400,370.40	\$0.00	\$400,370.40
9901	Other Agency	0.000%	\$0.00	\$0.00	\$0.00
All Funds Total			\$671,040.52	\$0.00	\$671,040.52
Pooled Investments					\$0.00
Secondary Checking Accounts					\$0.00
Available Primary Checking Balance					\$671,040.52

Last reconciled to bank: 10/31/2024 – Total other adjusting factors: \$0.00

Payment Listing

10/8/2024 to 11/30/2024

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
286-2024	10/08/2024	10/08/2024	CH	Isaac Wiles	\$820.00	C
287-2024	10/08/2024	10/08/2024	CH	Isaac Wiles	\$390.00	C
288-2024	10/08/2024	10/08/2024	CH	Time Warner Cable	\$266.72	C
289-2024	10/08/2024	10/08/2024	CH	South Central Power	\$16.00	C
291-2024	10/08/2024	10/08/2024	CH	Columbia Gas of Ohio	\$51.00	C
292-2024	10/08/2024	10/08/2024	CH	Columbia Gas of Ohio	\$51.00	C
293-2024	10/08/2024	10/08/2024	CH	American Electric Power	\$115.73	C
294-2024	10/08/2024	10/08/2024	CH	Verizon Wireless	\$120.33	C
295-2024	10/08/2024	10/08/2024	CH	American Electric Power	\$120.32	C
296-2024	10/08/2024	10/08/2024	CH	American Electric Power	\$30.61	C
297-2024	10/08/2024	10/08/2024	CH	American Electric Power	\$38.55	C
298-2024	10/08/2024	10/08/2024	CH	American Electric Power	\$752.89	C
300-2024	10/11/2024	10/11/2024	EW	OHIO DEPARTMENT OF TAXATION	\$188.94	C
301-2024	10/11/2024	10/11/2024	EW	Ohio School District Income Tax	\$38.52	C
302-2024	10/11/2024	10/11/2024	EW	OHIO SCHOOL DISTRICT INCOME TAX	\$49.01	C
303-2024	10/11/2024	10/11/2024	EW	Regional Income Tax Agency	\$183.25	C
304-2024	10/11/2024	10/11/2024	EW	US Treasury	\$414.96	C
305-2024	10/11/2024	10/11/2024	EW	OHIO PUBLIC EMPLOYEES RETIREMENT S	\$710.51	C
307-2024	10/15/2024	10/15/2024	CH	Park National Bank	\$628.44	O
309-2024	10/15/2024	10/15/2024	CH	Isaac Wiles	\$911.00	C
310-2024	10/15/2024	10/15/2024	CH	Isaac Wiles	\$268.50	C
311-2024	10/15/2024	10/15/2024	CH	Park National Bank	\$312.42	C
314-2024	10/26/2024	10/26/2024	CH	U. S. Bank Equipment Finance	\$138.37	C
315-2024	10/26/2024	10/26/2024	CH	Time Warner Cable	\$183.89	C
319-2024	11/09/2024	11/09/2024	CH	American Electric Power	\$36.12	O
320-2024	11/09/2024	11/09/2024	CH	American Electric Power	\$43.16	O
322-2024	11/09/2024	11/09/2024	CH	Verizon Wireless	\$120.33	O
323-2024	11/09/2024	11/09/2024	CH	Columbia Gas of Ohio	\$74.87	O
324-2024	11/09/2024	11/09/2024	CH	Columbia Gas of Ohio	\$51.92	O
325-2024	11/09/2024	11/09/2024	CH	Columbia Gas of Ohio	\$54.23	O
326-2024	11/09/2024	11/09/2024	CH	MNCO	\$12.00	O
327-2024	11/09/2024	11/09/2024	CH	South Central Power	\$16.00	O
329-2024	11/10/2024	11/10/2024	EW	US Treasury	\$255.98	O
330-2024	11/10/2024	11/10/2024	EW	OHIO PUBLIC EMPLOYEES RETIREMENT S	\$717.40	O
14414	10/08/2024	10/08/2024	PR	Shirley A Roskoski	\$437.90	C
14415	10/08/2024	10/08/2024	PR	Jack V Christy	\$346.63	C
14416	10/08/2024	10/08/2024	PR	TERRY W. ASHCRAFT	\$370.41	C
14417	10/08/2024	10/08/2024	PR	Victoria H Coe	\$1,062.69	C
14418	10/08/2024	10/08/2024	AW	Gary's Place	\$51.00	C
14419	10/08/2024	10/08/2024	AW	Licking County Health Department	\$756.00	C
14420	10/08/2024	10/08/2024	AW	Arcadis Engineering Services Inc.	\$3,105.00	C
14421	10/08/2024	10/08/2024	AW	Kevin C. Shannon, Esq.	\$300.00	C
14428	10/15/2024	10/15/2024	AW	Gro-Green Lawn and Landscape	\$1,510.00	C
14429	10/15/2024	10/15/2024	PR	Shirley A Roskoski	\$437.90	C
14431	10/26/2024	10/26/2024	AW	Arcadis Engineering Services Inc.	\$3,305.00	C
14432	10/26/2024	10/26/2024	AW	Licking County Health Department	\$504.00	C

Payment Listing
10/8/2024 to 11/30/2024

Payment Advice #	Post Date	Transaction Date	Type	Vendor / Payee	Amount	Status
14434	10/26/2024	10/26/2024	AW	Slone Tree Service	\$2,700.00	O
14435	11/09/2024	11/09/2024	PR	Shirley A Roskoski	\$437.90	O
14436	11/09/2024	11/09/2024	PR	TERRY W. ASHCRAFT	\$370.41	O
14437	11/09/2024	11/09/2024	PR	Victoria H Coe	\$1,011.81	O
14438	11/09/2024	11/09/2024	AW	Parking Marking	\$500.00	O
14441	11/09/2024	11/09/2024	AW	Gro-Green Lawn and Landscape	\$1,510.00	O
14443	11/10/2024	11/10/2024	PR	Jack V Christy	\$561.39	O
Total Payments:					\$27,461.01	
Total Conversion Vouchers:					\$0.00	
Total Less Conversion Vouchers:					\$27,461.01	

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.