

The Strasburg Village Council met in regular session on Tuesday, October 5, 2021 at 6:00 pm. Mayor Steve Smith presided over the meeting.

Members answering roll call were Kathy Burrier, Jeff Smith, Liz Dreher, Don Wallick, Dustin Briggs, and Martin Zehnder. Other's present were Village Administrator Ron Lambert, Police Chief David Warrick, Police Officer Tom Coutts, Fire Chief Andy Slemmer, Legal Counsel Richard Fox, Zoning Inspector Ted Foster, Press Representative Barb Limbacher, Jerry Schultz, Larry & Norma Fitzgerald, David & Susan Kees, Holley Baker, Duane Stull, Jason Rissler, Perry & Heather Nave, Sheri Clason, Joe Murphy, Janet Rosenberry, Gene & Susan Chini, Rick & Sue Wells, Aaron & Debby Bell, Matt Bender, Chase Willis, Jessie Stallings, Bonnie Jones, Mary Sullivan, Vickie Sullivan, Brenda Charton, Beth Marburger, Greg Bender, Mike Watson, Ray Shanower, Nancy Cregan, and Jill Walker.

A motion was made by Kathy Burrier, seconded by Don Wallick, to approve the minutes from the September 21, 2021 council meeting. At roll call, all members voted approval.

Mayor Steve Smith reported that a meeting was held to create a new group that would combine members from the school, churches, businesses, and government of Strasburg to create a revitalization plan for the village. Mayor Smith reminded residents to keep fire hydrants unobstructed on their properties. Mayor Smith reminded residents that no motorized vehicles are permitted on the walking trail in the park. Mayor Smith reminded everyone that October is Breast Cancer Awareness month.

Village Administrator Ron Lambert reported that the contractor on the waterline project has completed the main lines and will begin connecting the services and will complete the project with asphalt. Lambert reported that Malcuit will be completing the storm sewer portion of the Maple Avenue NW project and will begin on the waterline replacement portion of the project.

Police Chief David Warrick reported that three vests have been ordered and will be funded through the Body Armor Grant.

Zoning Inspector Ted Foster read the zoning report which included a permit for a new garage in a rear yard and certificate of occupancy for the preschool at the Lutheran Church.

Finance – Chairman Jeff Smith reported that the finance committee had met to discuss 2022 projects, a storm drain and waterline project between 7<sup>th</sup> and 9<sup>th</sup> SW on Fernsell Avenue, and the Lutheran Church waterline. Smith reported the need for a new dump truck for the Street Department to replace the oldest single axle dump truck. Smith noted that the truck can be ordered through state purchasing at a cost of \$ 93,106.00 and delivered in six months. A motion was made by Jeff Smith, seconded by Kathy Burrier, to purchase a 2021 Ford 550 4x4 truck with equipment for the street department in the amount of \$ 93,106.00 to be finance for five years. At roll call the vote was as follows: Zehnder, no; Wallick, yes; Smith, yes; Dreher, yes; Burrier, yes; and Briggs, yes.

Park – Chairman Dustin Briggs reported that the playground equipment has been ordered and that the old equipment will need to be removed at the park by winter.

### **ORDINANCE O-23-2021**

Fox noted that Ordinance O-23-2021 was tabled on September 7, 2021. Martin Zehnder made a motion to keep Ordinance O-23-2021 on the table until we hear what Sugarcreek does about Miller's proposal, Liz Dreher seconded by motion. At roll call, the vote was as follows: Zehnder, yes; Wallick, yes; Smith, no; Dreher, yes; Burrier, no; Briggs, no; Mayor Smith, no.

Jeff Smith made a motion to take ordinance O-23-2021 off the table for a fourth reading, Kathy Burrier seconded the motion. Legal Counsel Fox gave Ordinance O-23-2021 a fourth reading by title only.

Nancy Cegan suggested that a survey be given to all of the residents of the village to see who is in favor of the dewatering facility proposed by Miller. Cregan noted that she has not heard one good reason from any council member on why they would vote yes for the proposed business.

Mayor Smith noted that he and Jeff Smith took a tour of a dewatering facility in Indiana and that Jeff Smith also went to Advance Sludge in Canton.

A brief discussion was held regarding zoning in the township and the JEDD. JEDD Legal Counsel Terry Seeberger noted that there is no zoning in the JEDD because the property is in the township. Legal Counsel Fox explained that the township has not voted on the addition of this property yet and that it requires a vote of yes

by both to join the JEDD. A discussion was held on the possibility of the property being annexed into the village for the proposed business if not accepted into the JEDD.

Martin Zehnder noted that if Sugarcreek doesn't allow the proposed business and if it is not accepted into the JEDD, Miller could apply for annexation of the property. Cregan noted that the township members have stated that they will vote no on the petition and she speculates that residents will lose millions in property tax value if this proposed business is permitted.

David Kees noted that he visited a facility in Portsmouth, Ohio that is situated in a completely depressed area by the freeway and stated that everything was open and visible and that there was a smell. Kees noted that he does not understand why council would want this type of business in the proposed location. Cregan noted that she is in the sludge business and there will be days that it will smell. Attendees asked how this proposed business would be monitored and controlled. Village Administrator Ron Lambert noted that the Ohio EPA will be watchful of the proposed business.

Jeff Smith noted that he visited two facilities and has visited our plant many times, stating that our facility has virtually no smell and noted that this proposed facility will be monitored and would be an asset to the JEDD.

Kathy Burrier noted that economically this proposed facility will help our citizens of the village by keeping their utility billings down. Burrier noted that Cregan was at her house today trying to persuade her to change her mind. Cregan noted that their business is as big as Speedie Septic and that they will accept outside septage not just their own and it will come from Case Farms, restaurants, and other miscellaneous businesses.

Attendees asked council members how many residents they have spoken to that are in favor of this proposed business. Smith, Burrier, and Briggs stated that they have spoken to many residents and that they all understand that this proposed business would be economically good for the village and township and would help to keep utility bills down for the residents. Don Wallick noted that he has talked to many people and that they do not see a problem with the proposed business. Wallick noted that if the property was annexed there would be zoning and the village would have more control of the property. Martin Zehnder noted that he has not spoken to anyone that wants this proposed business. Jeff Smith noted that there has been no evidence that this proposed business will decrease property values and have an odor. Aaron Bell asked why they would vote against the voice of the people. Liz Dreher noted that she will not vote for the proposed business. Briggs noted that the JEDD was created for economic development and stated that allowing this business would give us a chance for more acreage for further economic growth. Jill Walker stated that she feels that if this proposed business is allowed that she will sell her property.

Susan Kees noted that she does not understand why council gets to vote on this issue. Legal Counsel Fox noted that under the terms of the JEDD agreement this is the process of adding or deleting property of the JEDD. Fox noted that the JEDD was created for economic development for the village and the township and that there were public hearings before the creation of the JEDD. Fox explained the benefit of the JEDD property because of ProVia extending the village's water and sewer lines. Fox noted that the benefit to Miller is to place the discharge in the sewer line.

Ray Shanower noted that he has lived here thirty years and why wouldn't you want a big business in the JEDD instead of this small business that will chase other businesses away. Attendees asked if part of the responsibility of the JEDD is to recruit business, like restaurants and shops. Seeberger noted that the village and the Tuscarawas County Economic Development are trying to put together job ready sites and that Strasburg is in competition with many other communities, noting that it is a community effort to bring in businesses. Seeberger explained that one advantage of developing the northern part of the 32 acres is the improvement of Harwalk Road and open up hundreds of acres for development. Fox explained that the proposed facility would be on the north side of Harwalk and the other 22 acres would be on the south side to be developed as a buffer zone to digress from the residential area to business area.

Lambert was asked if the village is still responsible for accepting outside sludge after the loan is paid off for the sewer plant. Lambert noted that he has not received a call back from the Ohio EPA regarding this question. Lambert noted that the acceptance of the outside sludge keeps our costs down on plant operation and helps keep the sewer charges down for residents. Lambert noted that the JEDD agreement states that the JEDD will pay 75% of the cost of the sewer plant expansion and that we feel that this proposed business could contribute the other 25% and would keep the sewer charges down for the residents. Lambert noted that eliminating the process is not a viable path to go down. Lambert noted that we have dewatered sludge at our plant for 15 years and noted that our plant has not affected property values and noted that he does not feel that property values will be affected by this proposed facility.

David Kees asked the mayor and council to remember their campaign promises and listen to the people. Doug Dreher noted that there is a lot of opportunity to develop this property and that this proposed business creates a stigma.

Zehnder noted that he spoke to the owner of the Farmers Exchange and they noted that they did not have the opportunity to purchase that property and that they are not happy about the proposed business that will be located behind them. Liz Dreher noted that someone sent a postcard to residents opposing the proposed business so there must be other people that do not want this proposed business.

Attendees asked why council has to rush to vote on this issue. Fox noted that council is required to make a decision on this petition and that we have been through very repetitive information for four meetings. Fox noted that council has a motion on the floor and they can call the vote or the council member that made the motion and second can withdraw and table it again for 30 days. Attendees asked council again to conduct a survey.

A motion was made by Jeff Smith, seconded by Kathy Burrier, to approve Ordinance O-23-2021, AN ORDINANCE APPROVING THE FIFTH AMENDMENT OF THE STRASBURG-FRANKLIN JOINT ECONOMIC DEVELOPMENT DISTRICT AND MAP, BY ADDITION OF TERRITORY. At roll call, the vote was as follows: Zehnder, no; Wallick, no; Smith, yes; Dreher, no; Burrier, yes; Briggs, yes; and Mayor Smith, yes. Fox noted that the ordinance has been adopted.

A motion was made by Kathy Burrier, seconded by Don Wallick to enter into an executive session at 8:06 pm to discuss street department personnel. At roll call, all members voted approval. Council reconvened into regular session at 8:18 pm.

Mayor Smith made a recommendation to council to bring on Terry Seeberger as Legal Counsel as of December 1, 2021 to fill the vacancy of Legal Counsel Richard Fox. A motion was made by Jeff Smith, seconded by Kathy Burrier, to contract Attorney Terry Seeberger at \$ 8,500 per year contract and an agreed upon amount for additional charges. At roll call, all members voted approval.

A motion was made by Martin Zehnder, seconded by Jeff Smith, to adjourn at 8:22 pm. At roll call all members voted approval.

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MAYOR STEVE SMITH

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FISCAL OFFICER JENNIFER MAHONEY