

**COUNCIL AGENDA MONDAY, September 9, 2024 - MEETING TO BE HELD IN COUNCIL CHAMBERS**

**AGENDA**

**1. ROLL CALL**

**2. MINUTES**

- a. Council Minutes-August 26, 2024

**3. FINANCE-CONTRACT-ORDINANCE**

- a. Pay Payment Listing in the amount of \$195,205.48
- b. August 2024 Financial Statements & Bank Reconciliation
- c. Resolution #3975-Accepting Amounts & Rates and Certifying them to the County Auditor
- d. Ordinance #3981-Creating the Position of Public Works Director/2nd Reading
- e. Resolution #3985-Public Records Policy
- f. Business Loan Program

**4. STREET-ALLEY-SIDEWALK**

- a. McGhee & Hilles Chip Seal
- b. Morgantown Avenue Paving Bids
- c. South Chestnut Storm Drain Project Update
- d. Pumpkin Festival Request the use of Parking Lots and Streets

**5. SAFETY**

- a. August Mayor's Court Report

**6. PARK & RECREATION**

**7. CEMETERY**

**8. WATER & SEWER**

**9. LAND & BUILDINGS**

**10. OLD BUSINESS**

- a. Soldier Monument

**11. NEW BUSINESS**

- a. Fall Newsletter

**12. EXECUTIVE SESSION**

# PENDING

VILLAGE OF BARNESVILLE

RESOLUTION #3975

**A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE  
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES  
AND CERTIFYING THEM TO THE COUNTY AUDITOR**

The Council of the Village of Barnesville, Belmont County, Ohio met in regular session on the 9th day of September, 2024 with the following members present:

Mr. McCort\_\_\_ Mr. Hill\_\_\_ Mr. Johnson\_\_\_ Mrs. Misner\_\_\_ Mr. Yarnall\_\_\_ Mr. Tickhill\_\_\_

Mr. \_\_\_\_\_ moved the adoption of the following Resolution;

Mr. \_\_\_\_\_ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. McCort\_\_\_ Mr. Hill\_\_\_ Mr. Johnson\_\_\_ Mrs. Misner\_\_\_ Mr. Yarnall\_\_\_ Mr. Tickhill\_\_\_

**WHEREAS**, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2025; and

**WHEREAS**, The Budget Commission of Belmont County, Ohio has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation; therefore be it

**RESOLVED**, By the Council of the Village of Barnesville, Belmont County, Ohio that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

**RESOLVED**, That there be and is hereby levied on the tax duplicate of said Village the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

## SCHEDULE A

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED  
BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

			Inside 10 Mill	Outside 10 Mill
			Limit	Limit
General Fund		\$212,800	3.2	
Fire Levy	\$29,385			0.5
EMS Levy	\$84,027			1.5
Police Pension		\$19,950	0.3	
TOTAL	\$113,412	\$232,750	3.5	2

**PENDING**

FUND	Maximum Rate Authorized to be Levied	County Auditor's Estimated of Yield of Levy
Fire Levy Fund: Levy authorized by voters in 2023		
Not to exceed five years		0.5 \$29,385
EMS Levy Fund: Levy authorized by voters in 2017		
Continuing		1.5 \$84,027

And be it further

**RESOLVED**, That the Clerk of this Council is and she is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Adopted the 9th day of September, 2024.

Attest: \_\_\_\_\_  
Jeannie Hannahs, Fiscal Officer

\_\_\_\_\_  
Jake Hershberger, Mayor

PENDING

# PENDING

ORDINANCE NUMBER # 3981

## AN ORDINANCE CREATING THE POSITION OF PUBLIC WORKS DIRECTOR AND DECLARING AN EMERGENCY

**BE IT ORDAINED** by Council of the Village of Barnesville:

Section 1. There is a need to develop the position of Public Works Director, which will be appointed by the Village Administrator with approval of the Mayor, and be under the direct supervision of the Village Administrator.

Section 2. This position will be an hourly position at the rate of \$26.50 per hour.

Section 3. The position of Public Works Director will require the following licenses and certifications:

- 1) CDL license within two (2) years of employment; and
- 2) Ohio Department of Agriculture Pesticide license within three (3) years.

Section 4. The position of Public Works Director will perform the following duties:

- 1) Supervises and participates in all public works activities, including water distribution, sanitary sewer collection, storm sewer system, and street maintenance;
- 2) Occasionally, when needed, assists the park, cemetery, water treatment plant, and wastewater plant;
- 3) Assigns employees to various projects, makes employee assignment changes, as required, to ensure workforce efficiency, and supervises and reviews the work and keeps records of all work performed;
- 4) Ensures proper equipment maintenance and operation;
- 5) Ensures that proper safety precautions are followed;
- 6) Provides project inspections as needed;
- 7) Provides for maintenance of equipment and devices, such as, but not limited to, motors, pumps, valves, hydrants, etc.;
- 8) Participates in water and sewer related emergencies, such as lift station overflows and water line breaks;
- 9) Responds to residents' complaints effectively and efficiently;
- 10) Serves as a working foreman; physically participates;
- 11) Capable of driving trucks and operating equipment;
- 12) On call 24/7 for emergencies;
- 13) Provides and participates in road maintenance, from snow and ice removal, to patching and paving;
- 14) Reports to and under the direct supervision of the Village Administrator; and

# PENDING

15) Any other duties as may be assigned by the Village Administrator.

Section 5. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the residents of the Village of Barnesville as it is necessary to protect the public interest, promote the general health, safety, and welfare of the community, and to otherwise benefit the village.

\*

PASSED at a regular meeting of Council of the Village of Barnesville, held this \_\_\_\_ day of \_\_\_\_\_, 2024, by a vote of a majority of the members of Council.

ATTEST:

\_\_\_\_\_  
Jake Hershberger, Mayor

\_\_\_\_\_  
Jeannie Hannahs, Fiscal Officer

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# PENDING

RESOLUTION NUMBER 3985

**A RESOLUTION TO REPLACE THE CURRENT  
PUBLIC RECORDS POLICY ADOPTED IN RESOLUTION 3454  
WITH A NEW PUBLIC RECORDS REQUEST POLICY  
FOR THE VILLAGE OF BARNESVILLE, OHIO,  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the Council of the Village of Barnesville, Ohio, adopted a Public Records Policy in Resolution 3454; and

**WHEREAS**, the Council of the Village of Barnesville desires to replace the current Public Records Policy with a new Public Records Request Policy so as to fully comply with and abide by both the spirit and the letter of Ohio's Public Records Act.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Village of Barnesville, State of Ohio:

**Section 1.** That the Public Records Request Policy, outlined and identified in Exhibit A attached hereto, be adopted to replace the former Public Records Policy adopted in Resolution 3454; and

**Section 2:** That this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety of the residents of the Village of Barnesville regarding the Village's desire to fully comply with and abide by both the spirit and the letter of Ohio's Public Records Act.

\*

PASSED at a regular meeting of the Council held this \_\_\_\_ day of \_\_\_\_\_, 2024, by a vote of a majority of the members of Council.

\_\_\_\_\_  
Jake Hershberger, Mayor

ATTEST:

\_\_\_\_\_  
Jeannie Hannahs, Fiscal Officer

# PENDING

## EXHIBIT A

### PUBLIC RECORDS REQUEST POLICY

#### MISSION STATEMENT

Openness leads to a better informed citizenry, which leads to better government and better public policy. It is the mission and intent of the Village of Barnesville to at all times fully comply with and abide by both the spirit and the letter of Ohio's Public Records Act.

#### DEFINING PUBLIC RECORDS

A "record" is defined to include the following: A document in any format - paper, electronic (including, but not limited to, business email) - that is created, received by, or comes under the jurisdiction of the Village of Barnesville that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the office.

A "public record" is a "record" that is being kept by this office at the time a public records request is made, subject to applicable exemptions from disclosure under Ohio or federal law. All public records must be organized and maintained in such a way that they can be made available for inspection and copying.

#### RESPONSE TIMEFRAME

Public records are to be available for inspection during regular business hours. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested, the proximity of the location where the records are stored, the necessity for any legal review and redaction, and other facts and circumstances of the records requested.

It is the goal of the Village of Barnesville that all requests for public records should be acknowledged in writing or, if feasible, satisfied within three business days following the office's receipt of the request.

#### HANDLING REQUESTS

No specific language is required to make a request for public records. However, the requester must at least identify the records requested with sufficient clarity to allow the office to identify, retrieve, and review the records.

The requester does not have to put a records request in writing, and does not have to provide his or her identity or the intended use of the requested public record(s). It is this office's general policy that this information is not to be requested. However, the law does permit the office to ask for a written request, the requester's identity, and/or the intended use of the information requested, but only if (1)

# PENDING

a written request or disclosure of identity or intended use would benefit the requester by enhancing the office's ability to identify, locate, or deliver the public records that have been requested; and (2) the requester is first told that a written request is not required and that the requester may decline to reveal the requester's identity or intended use.

In processing the request, the office does not have an obligation to create new records or perform a search or research for information in the office's records. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through the office's standard use of sorting, filtering, or querying features. Although not required by law, the office should consider generating new records when it makes sense and is practical under the circumstances.

In processing a request for inspection of a public record, an office employee may accompany the requester during inspection to make certain original records are not taken or altered.

A copy of the most recent edition of the Ohio Sunshine Laws Manual is available via the Ohio Attorney General's website ([www.OhioAttorneyGeneral.gov/YellowBook](http://www.OhioAttorneyGeneral.gov/YellowBook)) for the purpose of keeping employees of the office and the public educated as to the office's obligations under Ohio's Public Records Act, Ohio's Open Meetings Act, records retention laws, and the Personal Information Systems Act.

## **ELECTRONIC RECORDS**

Records in the form of email, text messaging, and instant messaging, including those sent and received via a hand-held communications device, are to be treated in the same fashion as records in other formats, such as paper or audiotape.

Public record content transmitted to or from private accounts or personal devices is subject to disclosure. All employees or representatives of this office are required to retain their email records and other electronic records in accordance with applicable records retention schedules.

## **DENIAL AND REDACTION OF RECORDS**

If the requester makes an ambiguous or overly broad request or has difficulty in making a request such that the office cannot reasonably identify what public records are being requested, the request may be denied, but the office must then provide the requester an opportunity to revise the request by informing the requester of the manner in which records are maintained and accessed by the office.

If the office withholds, redacts, or otherwise denies requested records, it must provide an explanation, including legal authority, for the denial(s). If the initial request was made in writing, the explanation must also be in writing. If portions of a record are public and portions are exempt, the exempt portions may be redacted and the rest must be released. When making public records available for public inspection or copying, the office shall notify the requester of any redaction or make the redaction plainly visible.



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## **COPYING AND MAILING COSTS**

Those seeking public records may be charged only the actual cost of making copies, not labor. The charge for paper copies is 25 cents per page. The charge for electronic files is 10 cents per page.

A requester may be required to pay in advance for the actual costs involved in providing the copy. The requester may choose whether to have the record duplicated upon paper, upon the same medium on which the public record is kept, or upon any other medium on which the office determines that the record can reasonably be duplicated as an integral part of the office's normal operations.

If a requester asks that documents be delivered to them, he or she may be charged the actual cost of the postage and mailing supplies, or other actual costs of delivery. There is no charge for emailed documents.

## **MANAGING RECORDS**

The Village of Barnesville's records are subject to records retention schedules. The office's current schedules are available at 132 North Arch Street, Barnesville, Ohio 43713, a location readily available to the public as required by Ohio Revised Code § 149.43(B)(2).

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## ACKNOWLEDGEMENT OF RECEIPT OF RECORDS MANAGER OF PUBLIC RECORDS POLICY

In accordance with the Ohio Revised Code § 149.43(E)(2), I hereby acknowledge receipt of the Village of Barnesville's Public Records Policy, a copy of which is attached hereto and incorporated herein by reference.

Name: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

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# PENDING

RESOLUTION NUMBER 3983

## A RESOLUTION TO APPROVE A BUSINESS LOAN PROGRAM FOR THE VILLAGE OF BARNESVILLE, OHIO, AND DECLARING AN EMERGENCY

**WHEREAS**, the Council of the Village of Barnesville, Ohio, has determined that it is in the best interest of the people of Barnesville, and specifically the businesses within the Village limits, to improve the inside and outside of their commercial buildings; and

**WHEREAS**, the Village currently has funds available to loan to individuals and businesses for improvement to their commercial properties; and

**WHEREAS**, the Woodsfield Savings Bank has agreed to act as the Agent for the Village to initiate and oversee a Business Loan Program to loan money to Barnesville individuals and businesses for improvements to their commercial properties.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Village of Barnesville, State of Ohio:

**Section 1.** That the Barnesville, Ohio, Business Loan Program as outlined and identified in Exhibit A attached hereto be adopted;

**Section 2.** That Woodsfield Savings Bank be approved to act as the Village's Agent to establish and manage the Business Loan Program;

**Section 3.** That the Fiscal Officer is authorized to deposit with Woodsfield Savings Bank sufficient monies with the Bank to fund the Business Loan Program;

**Section 4.** That the Village Mayor is hereby authorized and empowered to sign and execute all documents necessary to complete this project; and

**Section 5:** That this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety of the residents of the Village of Barnesville regarding the Village's desire to improve the inside and outside of commercial buildings in the Village of Barnesville, Ohio.

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# PENDING

PASSED at a regular meeting of the Council held this \_\_\_\_ day of \_\_\_\_\_, 2024, by a vote of a majority of the members of Council.

ATTEST:

\_\_\_\_\_  
Jake Hershberger, Mayor

\_\_\_\_\_  
Jeannie Hannahs, Fiscal Officer

PENDING

Village Administrator

Roger Deal  
126 E. Church St.  
740.425.1880

Police Chief

Rocky Sirianni  
740.425.1976

**PENDING**



Mayor

Jake Hershberger  
Mayor@BarnesvilleOhio.com

Fiscal Officer

Jeannie Hannahs  
126 E. Church St.  
740.425.3444

Assistant Fiscal Officer

Chirs Mellinger  
740.425.3444

## Village of Barnesville, Ohio Business Loan Program

This program is designed to significantly boost small business owners, empowering them to invest in their commercial buildings across Barnesville. It aims to facilitate growth and development in the local business community by offering a range of benefits.

### What is this program?

- Businesses can borrow from \$1,000 up to **\$25,000 for building improvements.**
  - \$1,000 to \$12,499 up to 36 months terms
  - \$12,500 to \$25,000 up to 60 months terms
- Interest rate **0% APR**
- Funds can be used for Structures on commercial properties only, both inside and outside.
  - The project must be completed within 12 months of the loan; if not, the loan will be recalled.
- All loans will be processed through Woodsfield Savings Bank, Barnesville Branch (WSB), and payments will be made to WSB. If any loan goes into default, the Village of Barnesville will have the right to take legal action to collect the loan with any legal fees or penalties accrued during the process.
- Applicants must co-sign personally in addition to signing as the owner of the business or property.
- A project plan is required.

### Loan Qualification Requirements.

- Credit Score:
  - 600 or higher = Qualify for the loan
  - 599 or lower = Subject to the review process
- Filed Bankruptcy in the last 10 years?
  - If No = Qualify for the loan
  - If Yes = Subject to the review process
- Outstanding Judgments and/or pending legal action.
  - If No = Qualify for the loan
  - If Yes = Subject to the review process

If no review is needed, the loan is automatically approved, and if any are "**Subject to the review process,**" the review process described below will be followed.

*Village Administrator*

Roger Deal  
126 E. Church St.  
740.425.1880

*Police Chief*  
Rocky Sirianni  
740.425.1976

**PENDING**

*Mayor*  
Jake Hershberger  
Mayor@BarnesvilleOhio.com

*Fiscal Officer*  
Jeannie Hannahs  
126 E. Church St.  
740.425.3444

*Assistant Fiscal Officer*  
Chirs Mellinger  
740.425.3444

### The Review Process Guidelines

- The Barnesville Village Council Finance Committee will conduct these reviews (3 Council Members).
  - Must be no personal conflict of interest from committee members with the business or ownership of the business or property.
    - If so, that Council person shall excuse themselves from being part of the review process, and another council person will be appointed for this review only.
- The Historical Review Board should be consulted if the project is in their district.
- Building permits are required.
- Factors considered upon review.
  - Credit Score
  - Bankruptcy
  - Judgements and Legal Actions against the business or owner
  - Debt to Income Ratio
  - Age of Business or other Businesses the owner has
  - Income Tax Payment 24-month History
  - Water Bill payment 24-month history
- Decision of Finance Committee is final.

Village Administrator

Roger Deal  
126 E. Church St.  
740.425.1880

Police Chief

Rocky Sirianni  
740.425.1976

**PENDING**



Mayor

Jake Hershberger  
Mayor@BarnesvilleOhio.com

Fiscal Officer  
Jeannie Hannahs  
126 E. Church St.  
740.425.3444

Assistant Fiscal Officer

Chirs Mellinger  
740.425.3444

## Village of Barnesville, Ohio Business Loan Program

### Promissory Note

Date \_\_\_\_\_

I, \_\_\_\_\_ (Debtor Name), and \_\_\_\_\_ (Business Name) promise to repay the Village of Barnesville and Woodsfield Savings Bank the sum of \$ \_\_\_\_\_ in connection with the Village of Barnesville Business Loan Program on a monthly basis, as indicated on the loan application. Payments per month of \$ \_\_\_\_\_ are due within 30 days of loan approval and payable to The Village of Barnesville through the designated banking center Woodsfield Savings Bank. Failure to make payments in excess of 30 days will require the loan balance to be paid in full. The Village will take steps to collect the outstanding balance as authorized by law, including but not limited to filing liens against your business and/or personal property. In the event of the sale of the business or change of ownership, the entire balance is due immediately.

Personal Name \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Business Name \_\_\_\_\_

Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_