

COUNCIL AGENDA MONDAY, October 7, 2024 - MEETING TO BE HELD IN COUNCIL CHAMBERS

1. ROLL CALL

2. MINUTES

- a. Council Minutes-September 23, 2024

3. FINANCE-CONTRACT-ORDINANCE

- a. Pay Payment Listing in the amount of \$139,710.52
- b. September 2024 Financial Statements & Bank Reconciliation
- c. Resolution #3983-Business Loan Program-3rd Reading
- d. Resolution #3985-Public Records Policy-3rd Reading

4. STREET-ALLEY-SIDEWALK

- a. Morgantown Avenue
- b. Pumpkin Festival

5. SAFETY

- a. Mayor's Court Report

6. PARK & RECREATION

7. CEMETERY

8. WATER & SEWER

- a. RCAP Water Rate Study Consideration

9. LAND & BUILDINGS

- a. Casey McKenzie - 323 North Arch Street - New Porch and Sidewalk
- b. JLH Revocable Living Trust - 349 West Church - Demo House
- c. South Arch Street Property
- d. Bohandy Building Bid Ad

10. OLD BUSINESS

11. NEW BUSINESS

12. EXECUTIVE SESSION

- a. Consider the Sale of Property ORC 121.22 G (2)

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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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.

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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.

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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 _____

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.

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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

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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) 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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