

RECORD OF PROCEEDINGS

Minutes of

Council

Meeting

GRAPHIC VILLAGE - CINCINNATI, OH

Form 6101

Held

June 20, 2022

**MINUTES**

**REGULAR MEETING OF COUNCIL**

**JUNE 20, 2022**

**Called to Order:**

President Conway called the Village of West Jefferson Council Meeting to Order and asked for a Roll Call at 7:00 P.M.

**Roll Call:**

Council Members: Samantha Cahill, Mike Conway, Linda Hall, Richard King, Howard Wade, and Jennifer Warner.

**Quorum Declare: 6 present, 1 absent.**

**Motion to Excuse** Jeff Patterson moved by Ms. Hall and seconded by Ms. Warner.

VOICED VOTE AFFIRMED

**Motion Carries 6-0.**

Also attending were: Becky Arnott-Shipley, Finance Director; Mark Crosten, IT Manager; Chris Floyd, Chief of Police; Tom Hale, Director of Development; Jimmy John Hall, Clerk of Council; Ray Martin, Mayor; John Mitchell, Public Service Director; and Kristie West, Building and Zoning Code Enforcement Official.

**Prayer:** Ms. Hall.

*Heavenly Father, thank you for this day. Help us with the business before us tonight on behalf of the Village for good. Please bless all the people here. In Jesus name. Amen.*

**Pledge of Allegiance:** Ms. Warner.

*I (we) pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.*

**The Agenda:**

**Motion to Adopt the Agenda** moved by Ms. Hall and seconded by Ms. Cahill.

VOICED VOTE AFFIRMED

**Motion Carries 6-0.**

**The Minutes:**

**Motion to Approve the Minutes** of the June 6, 2022, Regular Meeting of Council moved by Ms. Wade and seconded by Mr. King.

VOICED VOTE AFFIRMED

**Motion Carries 6-0.**

**Committee Reports:**

*Ms. Hall said the Committee meet to discuss a donation to the Ohio Changers. This is an organization that helps young people learn a trade. They go to different locations looking for work to do for people who can't either afford or perform the work. For instances, they have replaced a porch and the steps for one family. Also, at another home they replaced the wood steps with concrete steps. So, the Committee made a recommendation to Council to donate \$1,000.00 to Ohio Changers.*

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Mayor Martin added this is a donation we have given before. If you can recall, there is a Kentucky Changers and now there is an Ohio Changers.

## **Department Reports:**

### **Report from Mayor:**

Mayor Martin said 'Lunch and Learn' is tomorrow with the Mayor. We are going to paint one of the Village snow plows. This winter when they see the plow, they will see their art. Next, the parks are coming along and John will talk more about that in his report. Also, there is a Town Hall meeting June 23, 2022, at 6:30 pm. The meeting is at the Community Center. Fourth, I would like to thank everybody who helped with the water boil alert. We would also like to thank Jefferson Fire Department as they donated three skids of water to the Village. We had a total of five skids. The water was fine but we had to take these precautionary means.

### **Report from Director of Public Service:**

Mr. Mitchell said if you didn't know, the south water tower was being taken out of service for repairs. During the process the pressure systems between the two towers caused one of the valves to fail and the north water tower to drain. So, there were some areas where the pressure was not normal. When the pressure dips below a certain mark, the EPA require a boil alert. There were no water lines opened to the atmosphere and all the tests came back clean, no contaminates. Secondly, Garratte Park is coming to a conclusion. The gravity rail is in, the rubber surface will come next, and we are still working on the entry way. Third, Westwood Park's playground equipment is ordered. We will be putting drainage in for the new basketball court. Fourth, Westchester was opened for bid; however, there were no bids. This indicates that contractors are busy. So, bids are opened as we speak, and have a completion date of August 2023. Fifth, there is a construction meeting Wednesday this week concerning the Taylor Blair traffic signal. The main thing is the material they will need. Materials are about three months behind in supply. Sixth, the traffic speed signs are up on both sides of town.

Ms. Cahill said some people have complained about the boil alert notification. For example, although the boil alert was placed on social media, many of the elderly do not have the same. When the new sign is in place, it will have notices there. But, can we use any of the speed signs?

Mr. Mitchell said those are not programable.

(Inaudible 15:35)

Chief Floyd said the Police Department's sign has a message board. We can do that.

Ms. Warner said with the water restored, is it possible to have a milky colored water?

Mr. Mitchell said it's possible but I would not expect to see that.

President Conway said do you have an ETA on the park equipment for Westwood?

Mr. Mitchell said not yet.

### **Report from Recreation and Special Events Manager:**

Mr. Stanley said we wrapped up the 'Fishing Derby.' Special thank you to Crazy Glue's Plant Manager. This was such a special event. For example, one family came and had no equipment. They recently moved and are having a difficult time. But they were given a fishing pole. The young boy was ecstatic. Now every kid that came has a fishing pole. Second, 'Friday Night Up Town' was a success. The band and 1976 Elvis did a great job. More elderly people came out to enjoy the events. The next 'Friday Night Up Town' is July 15, 2022. Third, 'Lunch and Learn' is going great. Fourth, the pool was such a relief in the heat last week. Fifth, movie night for June 24 is cancelled and move to July 29, 2022. Sixth, the 'Daddy Daughter Dance' went really well too. O, one more thing, we are going to have a 'Mother Son Dance' in the Fall.

Mr. Wade said, Shelton, I think you are doing a good job. Seeing everybody out and the food trucks is really good for West Jefferson.

### **Report from Director of Finance:**

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*Becky Arnott-Shiple* said the May financials are in the Council packets. During May there were 234 revenue receipts totaling \$1,128,888.72. Also, there were 382 appropriations/payments totaling \$549,130.57. Next, the Income Tax was down 15% but last year the tax filing date was June 15. We are still up 4% for the year. In May, we collected \$519,426.31 to a total of \$3,305,425.54 for the year. As of Friday, we have collected \$3,692,930.34. The revenue items to report are to Roehrenbeck Electric for \$43,260.30 and 79 receipts for \$298,343.65. Payment items were to HMAR for \$36,238.50, Buckeye Ford for \$45,225.00, to Buckeye Fence for \$15,600.00, to Dark Water Solutions for \$12,127.50, and to S M Miller Construction for \$17,905.10.

#### Report from Chief of Police:

*Chief Floyd* said since last meeting there have been 146 traffic stops which resulted in 9 tickets. Of those stops, 98 were on the Main St. We just want everybody to know to be careful with fireworks this upcoming 4<sup>th</sup> of July. Also, we just hired another police officer and are in the final steps of hiring a new officer.

*President Conway* said for those who do not know, as of July 1<sup>st</sup> it is legal to light off fireworks.

#### Report from Development Director:

*Mr. Hale* said Madison County is closed today, so we do not have a full report concerning the permits from last month. But we averaged about 140 permits for the month of May. This is the first time in a long time that there were less than five new home starts in the County but new homes for June is already up. We've had several development meetings but it's been more fact finding than anything. The new software has been a problem but appears to be getting better. We are scheduled to go live July 11, 2022. The IT Manager has been actively involved with this project. Planning Commission had no cases last meeting. They used the meeting for a work session instead.

#### Recognition of Clerk and Council:

*President Conway* how many people are going to be on the 4<sup>th</sup> of July float?

*Mr. Wade* said I took a head count last meeting for six people.

#### Recognition of Guests:

*Christi Clifford* said I recently learned about the Redwood development. I learned they are going to dig out a lot of the natural filtration and water processing as they develop. I have read a lot and talk to many people and learned just how special and unique the Darby is to this community. I want to reiterate how important it is to keep the Darby pristine and life supporting for the wet lands. There is no substitute for the greenery and trees. Please consider this while making decisions.

#### Old Business:

**Second Reading of Ordinance 22-041**, an Ordinance declaring the improvement of certain real property located at the Comet Processing Site in the Village of West Jefferson, Madison County, Ohio to be a public purpose ...

**Motion to Adopt Ordinance 22-041**, moved by Mr. King and seconded by Ms. Warner.

**Deliberations:** President Conway opened up Council deliberations.

*Mr. Mitchell* said this project includes installing a natural gas line not only for their project but for other developments.

**Deliberations:** President Conway closed Council deliberations to vote on the main motion.

VOTE YEA: Ms. Cahill, Mr. Conway, Ms. Hall, Mr. King, Mr. Wade, and Ms. Warner.

VOTE NAY: None.

ABSTAIN: 0

**Motion Carries 6-0.**

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## New Business:

**Public Hearing** to discuss a proposal for Parcel # 16-00054.000 and Parcel # 16-00061.000, rezoning from Commercial District (C-2) to Planned Commercial District (PCD).

**President Conway opened up the Public Hearing.**

*Guest asked what the difference is going from a Commercial District to Planned Commercial District?*

*President Conway said the C-2 designation is a zoning designation used by the County and Planned Commercial District is used by the Village. Is that correct Tom?*

*Mr. Hale said that's correct.*

**President Conway closed up the Public Hearing.**

**First Reading of Ordinance 22-046**, to rezone 4.390 +/- acres of land (Parcel # 16-00054.000 and Parcel # 16-00061.000) from Commercial (C-2) and Commercial (C-2) to Planned Commercial District (PCD), as recommended by the Planning and Zoning Commission on April 6, 2022.

*President Conway asked if anybody had any questions?*

*Linda O'Reilly asked what would be the business options being put on the property?*

*Tom Hart said I brought a brief overview for the Clerk. We are rezoning under the Village zoning code because it is a lot more flexible. It allows for different types of uses. With our illustrations you can see a fast-food restaurant and a gas station. Basically, we have to consider the market. The owner of the property is an experience developer and will come back to the Village with the final plan after he gets interest. The property is (as seen on the screen) the triangle lot and the rectangle lot. The latter will be used more for parking.*

*Linda O'Reilly said there was some discussion about this being a turn-in and turn-out. This is backed up to another property owner's property; has that been resolved?*

*Tom Hart said that was resolved a long time ago. ODOT required the turns to be a right-in and a right-out. At the Planning Commission meeting, we meet all the maneuverability standards. The curve-cut will be shared between the parcels with plenty of room to maneuver. We are asking Council to approve the PCD to allow for many uses. The exact use is not known at this time until we have interest. Everything has to meet the standard already cited in the code. Slide show:*

- We are asking for uses already stated and allowed for in your code.
- One possible use is a fast-food restaurant.
- Another possibility is a gas station

*President Conway asked is there an entrance off of Plain City-Georgesville Road?*

*Tom Hart said yes there is and the goal is full access.*

*Guest asked with this property, is there anyway the business could be opened from 8 to 5 or close by 10 because the noise travels to the residential area?*

*Tom Hart said the location happens to be on a United States Highway and zoned commercial. The Village does have certain controls for light and noise but it is hard to agree to limit the use before we know what its going to be used for. Zoning sets general parameters. This will be a positive addition for the community.*

**Resolution 22-047**, accepting the annexation of certain territory to the Village of West Jefferson, Ohio, pursuant to an annexation petition filed with and granted by the Board of County Commissioners of Madison County, Ohio, as provided for in Ohio Revised Code Section 709.023.

**Motion to Approve Resolution 22-047**, moved by Mr. King and seconded by Ms. Warner.

**Deliberations:** President Conway opened up Council deliberations.

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*Mr. Hale* said the parcel in question has gone to the County, then to the Village, and then to the Building and Zoning Commission and the zoning request comes last.

**Deliberations:** President Conway closed Council deliberations to vote on the main motion.

VOTE YEA: Ms. Cahill, Mr. Conway, Ms. Hall, Mr. King, Mr. Wade, and Ms. Warner.  
VOTE NAY: None.  
ABSTAIN: 0

**Motion Carries 6-0.**

**First Reading of Ordinance 22-048**, pursuant to Codified Ordinances Chapter 1117.01, Council shall set the zoning classification at the time of annexation of Parcel 08-00582.000 to Planned Mixed Use District (PMU).

*President Conway* said just so everybody understands, we cannot rezone a piece of property until it is annexed into the Village. That is why Council sets the zoning district at the time of annexation.

*Ms. Cahill* said why is it being declared a PMU? Is it because of the Garden Center?

*Mr. Hale* said that is correct.

(Inaudible 57:10)

*Mr. Hale* said this action sets the zoning district for the entire parcel. So, they could bring a site plan for the permitted uses. It might not be commercial but residential.

*Mr. (J) Hall* said after receiving a lot of phone calls about this Ordinance, please be aware that the next Regular Meeting of Council is Tuesday, July 5, 2022, not the Monday, July 4, 2022. At that meeting there will be the required second reading of the Ordinance.

**First Reading of Ordinance 22-049**, to approve the current replacement pages to the West Jefferson Codified Ordinances. \*

**Motion to Wave the Second Reading Rule**, moved by Ms. Hall and seconded by Ms. Cahill.

**Deliberations:** President Conway opened up Council deliberations.

*Mr. (J) Hall* said these replacement pages are the ordinances that have already been passed between January and May 2022. This has to be passed so Walter Drane has permission to alter the Codified Ordinances online. This needs to be an emergency so that people using our online Codified Ordinances on a work site have immediate access.

**Deliberations:** President Conway closed Council deliberations.

VOTE YEA: Ms. Cahill, Mr. Conway, Ms. Hall, Mr. King, Mr. Wade, and Ms. Warner.  
VOTE NAY: None.  
ABSTAIN: None.

**Motion Carries 6-0.**

**Motion to Adopt Ordinance 22-049**, moved by Mr. King and seconded by Mr. Wade.

**Deliberations:** President Conway opened up Council deliberations.

*President Conway* said when we have an ordinance, we have a rule to read it in two separate meetings of Council but we can wave it with a 6 to 1 vote.

*Christi Clifford* asked is this an emergency?

*President Conway* said it is an emergency for the reasons previously explained, which includes traffic laws, zoning laws, general offences, and so on. These have already been passed. We just need to get them replaced.

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Deliberations: President Conway closed Council deliberations.

VOTE YEA: Ms. Cahill, Mr. Conway, Ms. Hall, Mr. King, Mr. Wade, and Ms. Warner.

VOTE NAY: None.

ABSTAIN: 0

**Motion Carries 6-0.**

**First Reading of Ordinance 22-050**, authorizing changes to the Codified Ordinances of West Jefferson Ohio, Chapter 1117.06, Nonconforming Uses. \*

**Motion to Wave the Second Reading Rule**, moved by Ms. Hall and seconded by Ms. Warner.

Deliberations: President Conway opened up Council deliberations.

*Mr. Hale said in 2003 there was an ordinance that did not take into consideration somebody's home being zoned in the wrong district. In the last two months, we have had two situations where an underwriter for a mortgage company would accept the zoning classification of the home. If the home was damaged, then it could not be rebuilt. Consequently, the mortgage company required the home to be paid in full. This ordinance allows for a rebuild, under the same foot print.*

Deliberations: President Conway closed Council deliberations.

VOTE YEA: Ms. Cahill, Mr. Conway, Ms. Hall, Mr. King, Mr. Wade, and Ms. Warner.

VOTE NAY: None.

ABSTAIN: None.

**Motion Carries 6-0.**

**Motion to Adopt Ordinance 22-050**, moved by Mr. King and seconded by Ms. Warner.

Deliberations: President Conway opened up Council deliberations.

Deliberations: President Conway closed Council deliberations.

VOTE YEA: Ms. Cahill, Mr. Conway, Ms. Hall, Mr. King, Mr. Wade, and Ms. Warner.

VOTE NAY: None.

ABSTAIN: 0

**Motion Carries 6-0.**

**Resolution 22-051**, authorizing the Village to donate \$1,000.00 to the Ohio Changers.

**Motion to Approve Resolution 22-051**, moved by Mr. King and seconded by Mr. Wade.

Deliberations: President Conway opened up Council deliberations.

Deliberations: President Conway closed Council deliberations.

VOTE YEA: Ms. Cahill, Mr. Conway, Mr. King, Mr. Wade, and Ms. Warner.

VOTE NAY: None.

ABSTAIN: 1 (one); Ms. Hall due to relationship to the sponsoring Church.

**Motion Carries 5-0-1.**

**First Reading of Ordinance 22-052**, amending Ordinance 21-038, setting pool use rates during an heat emergency. \*

**Motion to Wave the Second Reading Rule**, moved by Ms. Warner and seconded by Ms. Cahill.

Deliberations: President Conway opened up Council deliberations.

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Mr. Mitchell said last week we had a heat wave. We did not have anything in an ordinance to affect a price change during a heat emergency. Other municipalities do the same. So, this formal action is to permit authorization for such a change.

Mayor Martin said Council sets the pool rates. Hence the reason to come before Council.

President Conway said before we vote, is there anything we can do about having more shade available at the pool? Are there any ground umbrellas?

Mr. Stanley said umbrellas are available for 18 and older. We don't want them broken.

(Inaudible 1:13.20)

Deliberations: President Conway closed Council deliberations.

VOTE YEA: Ms. Cahill, Mr. Conway, Ms. Hall, Mr. King, Mr. Wade, and Ms. Warner.
VOTE NAY: None.
ABSTAIN: None.

Motion Carries 6-0.

Motion to Adopt Ordinance 22-052, moved by Ms. Warner and seconded by Ms. Hall.

Deliberations: President Conway opened up Council deliberations.

Deliberations: President Conway closed Council deliberations.

VOTE YEA: Ms. Cahill, Mr. Conway, Ms. Hall, Mr. King, Mr. Wade, and Ms. Warner
VOTE NAY: None.
ABSTAIN: 0

Motion Carries 6-0.

Additional Business: None.

Pay the Bills:

Motion to Pay the Bills moved by Ms. Cahill and seconded by Ms. Hall.

VOICED VOTE AFFIRMED

Motion Carries 6-0.

Then and Now Certificates over \$3,000.00: None.

Adjourn:

Motion to Adjourn at 8:16 P.M. moved by Ms. Warner and seconded by Ms. Hall until 7:00 P.M. July 5, 2022, Regular Meeting of Council.

VOICED VOTE AFFIRMED

Motion Carries 6-0.

Handwritten signature of Jimmy John Hall

Jimmy John Hall
Clerk of Council

Handwritten signature of Mike Conway

Mike Conway
President of Council

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