

RECORD OF PROCEEDINGS

Minutes of

Council

Meeting

GRAPHIC VILLAGE - CINCINNATI, OH

Form 6101

Held

3 April 2023

MINUTES

REGULAR MEETING OF COUNCIL

3 APRIL 2023

Called to Order:

President Linda Hall called the Village of West Jefferson Council Meeting to Order at 7:00 P.M.

Roll Call:

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

Quorum Declare: 7 present, 0 absent.

Also attending were: Director of Finance, Becky Arnott-Shiple; Assistant Law Director, Josh Beasley; Mark Crosten, Director of Information Technology; Brandon Smith, Acting Chief of Police; Jimmy John Hall, Clerk of Council; Shelton Stanley, Recreation and Special Events Manager; and Ray Martin, Mayor.

Prayer: Rev. Jimmy John Hall

Almighty Heavenly Father, it is said the first two words young people learn are 'no' and 'mine.' We need desperately to learn the word 'yours', namely, to you belongs the glory, kingdom, and power and to our neighbor we owe honor, respect, and love. Would that tonight we do both, that is, give to you such glory and to our neighbor due respect and honor. We ask these things in the name of our risen Lord, Jesus Christ. Amen.

Pledge: Mr. Wade

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.

Agenda:

Motion to Adopt the Agenda moved by Mr. King and seconded by Ms. Cahill.

VOTE YEA: Cahill, Conway, L. Hall, King, Patterson, Wade, and Warner.
VOTE NAY: None.
ABSTAIN: None.

Motion Carries 7/0/0

Minutes:

Motion to Approve the Minutes of the 20 March 2023 Regular Meeting of Council moved by Mr. Conway and seconded by Mr. Wade.

VOTE YEA: Cahill, Conway, L. Hall, King, Patterson, Wade, and Warner.
VOTE NAY: None.
ABSTAIN: None.

Motion Carries 7/0/0

Recognition of Guests:

Ms. Kathleen Chrysler explained to Council, Mayor, and Acting Chief of Police the following: an incident happened recently. A cell phone was found in her driveway. Ms. Chrysler retrieved it, thinking it was another family members. However, it belonged to somebody else. A person reached out to Ms. Chrysler from social media. Ms. Chrysler took the cell phone to the police station and they informed her the cell phone was reported stolen. So, questions arose, namely, why was this cell phone near her car and house? Was this phone dropped by somebody lurking on her property? Was this person trying to break into her car and/or home? Ms. Chrysler asked the police what to do? The answer was to lock her doors. Ms. Chrysler expected a better response, especially since on social media people are reporting a lot of break-ins.

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Mayor Martin responded there have been discussions with the Acting chief of Police to increase patrols in the area of Ms. Chrysler's residence.

Ms. Cahill added with several question, namely, was this near other burglaries, do people need security cameras, or how effect are more patrols?

(Inaudible 9.45) Acting Chief of Police assured Ms. Chrysler the police will figure out what happened and take immediate steps to make West Jefferson safe. Acting Chief of Police took down the quest's information and will follow up with her.

Mr. Dwane Birtcher explained the situation near his house concerning traffic. Mr. Birtcher's concerns are the diesel trucks 'puffing', speeding, motor bike wheelies, and even the school busses and other vehicles. This is happening on Fellows Ave. Likewise, people are driving down one-way streets in the opposite direction. These activities are constant and this was addressed at the Regular Meeting of Council about three (3) months ago. Furthermore, a drunk driver nearly hit Mr. Birtcher's house. Mr. Birtcher called the police and nobody ever showed up. Speed bumps were discussed, a radar gun was debated, and new signage. When school is out for the day, this is bad. Something needs to be down.

Mr. Conway responded to the Acting Chief of Police, this issue was talked about with the Chief of Police, specifically, placing the radar trailer in place. But the comment was that there is no good place to put it. Was this information shared in the police department.

(Inaudible 20.00; multiple conversations)

Ms. Cahill asked the Acting Chief of Police if somebody could be assigned the responsibility to present and detoured these activities and/or write traffic citations? One day a week? Or something like that?

Acting Chief of Police Smith asked if the trailer could be placed the gentleman's front yard?

Mr. Birtcher responded that is no problem. Could the trash cans in the park be better maintained.

(Inaudible 24.00; multiple conversations)

In sum, the community needs enforcement and Madam President and Mayor Martin assured the guests these issues will be investigated.

Old Business: None.

New Business: (*indicates an emergency requested)

A. PUBLIC HEARING: Casto / CP West Jefferson LLC, Mr. Tom Hart. (Motions cannot be made during the Public Hearing).

Madam President Declares the time entering the Public Hearing 7:28 P.M.

Are there any to speak for the subject?

Mr. Nathen Painter, representing the applicant CP West Jefferson, LLC, previously we had a services resolution on 5 December 2022. Afterwards, the County Commissioners approved the petition and sent to the Clerk of Council on 10 January 2023 (Clerk received it on 25 January 2023). Now the sixty-day waiting period is passed this Council; day 64. We are looking to rezone and make this into a cohesive zoning district with other parcels as indicated in the Conceptual Site Plans.

Are there any to speak against the subject? None.

Are there any concluding statements? None.

Madam President Declares the time closing the Public Hearing 7:31 P.M.

B. RESOLUTION 23-025, ACCEPTING THE ANNEXATION OF 0.873 +/- ACRES OF LAND ON 5505 STATE ROUTE 29 / PARCEL #08-00344.000 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 Accept Annexation Resolution 23-025, moved by Ms. Warner and seconded by Mr. Conway.

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Deliberations: President L. Hall opened Council deliberations.

Deliberations: President L. Hall closed Council deliberations to vote on the main motion.

VOTE YEA: Cahill, Conway, L. Hall, King, Patterson, Wade, and Warner.

VOTE NAY: None.

ABSTAIN: None.

Motion Carries 7/0/0

C. FIRST READING OF ORDINANCE 23-026, PURSUANT TO CODIFIED ORDINANCES CHAPTER 1117.01, COUNCIL SHALL SET THE ZONING CLASSIFICATION AT THE TIME OF ANNEXATION OF PARCEL #08-00344.000 TO PLANNED COMMERCIAL DISTRICT (PCD).

Mr. Nathen Painter, representing the applicant Casto / CP West Jefferson, LLC, gave a recent update concerning the highway sign. Instead, 100 feet, the signage will have to be 125 feet. We will work with the Clerk of Council to make sure the legislation is revised for the next meeting.

Mr. Brent Myers, Senior Development Manager representing the applicant Cast / CP West Jefferson, LLC, gave more information about the development. Casto is a commercial and retail operation located in Ohio. One of the parcels is subject to the annexation and the remaining parcels are part of the collective project of 8.9 acres. We are working with an end user. We are also working with ODOT in light of a highway project and accusation. The end user, Get Go, plans on having a restaurant, limit convenience, groceries, and fuel.

Mr. Conway asked if State Route 29 will be a 'right-in, right-out'?

Mr. Myers responded State Route 29 will be a 'right-in, right-out' with full access off Commerce Parkway. The site plans are subject to change.

D. PUBLIC HEARING: Fisher Cast Steel, Mr. Jay Harmeyer. (Motions cannot be made during the Public Hearing).

Madam President Declares the time entering the Public Hearing 7:47 P.M.

Are there any to speak for the subject?

Mr. Jay Harmeyer, representing the applicant Fisher Cast Steel, summarized the presence of Fisher Cast Steel over the years. Over the years there have been several property improvements. Some of those improvements came when Fisher Cast Steel purchase boarded up homes and they were delinquent in taxes. All of our buildings have a nice and consistent appearance. Fisher Cast Steel makes international and military products. We also have a lot of employees from West Jefferson and London. Lastly, the concerns a resident had have been satisfied and there are no more concerns.

Mr. Hale reported Mr. Davis's concerns have been satisfied. Mr. Davis, Mr. Harmeyer, Madam President, Ms. West, and myself walked the entire site. Mr. Davis was pleased progress was being made.

Mr. Wade asked about the noise issue.

Mr. Harmeyer, responded our employees will not be on site until 6:00 A.M., although we start at 4:00 A.M. So, we created a delay.

Ms. Cahill responded people are complaining after they rent or purchase property but Fisher Cast Steel was here first. For you to adjust the time that it is amazing. Thank you.

Mr. J. Hall added on the way to the office, the forklift drivers are rudely treated by other drivers coming through the area. The other vehicles assume they have the right-of-way, illegally pass them, and cut them off. Meanwhile the forklift drivers are cautious and give no rude response in kind. Thank you for being careful.

Mr. Conway asked about the setbacks.

Mr. Hale responded in a M-1 and M-2 District the text is not clear about the Final Development Plan and Council has to approve. The new buildings have not met the set-back requirements for the

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districts but Planning and Zoning has granted the variance. The variance is granted because the new buildings are the same shape and size of the old building.

Ms. Kathy Russel added she is a purchasing manager for Fisher Cast Steel. They are wonderful people to work for. She has love for West Jefferson and is trying to help with toy drives, the schools, and Fisher Cast Steel is kept nice.

Are there any to speak against the subject? None.

Are there any concluding statements? None.

Madam President Declares the time closing the Public Hearing 8:01 P.M.

E. RESOLUTION 23-027, TO APPROVE CHANGES TO THE FINAL DEVELOPMENT PLAN CONCERNING FISHER CAST STEEL, RECOMMENDED BY THE PLANNING AND ZONING COMMISSION ON 8 FEBRUARY 2023.

Motion to Uphold Recommendation from Planning and Zoning Commission to Approve Changes to the Final Development Plan, moved by Ms. Warner and seconded by Ms. Conway.

Deliberations: President L. Hall opened Council deliberations.

Deliberations: President L. Hall closed Council deliberations to vote on the main motion.

VOTE YEA: Cahill, Conway, L. Hall, King, Patterson, and Warner.
VOTE NAY: Wade.
ABSTAIN: None.

Motion Carries 6/1/0

F. FIRST READING OF ORDINANCE 23-029, AUTHORIZING A SUPPLEMENTAL APPROPRIATIONS IN THE DUKE TIF FUND.

Motion to Wave the Second Reading Rule, moved by Mr. Conway and seconded by Ms. Cahill.

Deliberations: President L. Hall opened Council deliberations.

Deliberations: President L. Hall closed Council deliberations to vote on the main motion.

VOTE YEA: Cahill, Conway, L. Hall, King, Patterson, Wade, and Warner.
VOTE NAY: None.
ABSTAIN: None.

Motion Carries 7/0/0

Motion to Adopt Ordinance 23-029, moved by Mr. Warner and seconded by Mr. Conway.

Deliberations: President L. Hall opened Council deliberations.

Deliberations: President L. Hall closed Council deliberations to vote on the main motion.

VOTE YEA: Cahill, Conway, L. Hall, King, Patterson, Wade, and Warner.
VOTE NAY: None.
ABSTAIN: None.

Motion Carries 7/0/0

Committee Reports:

Mr. Wade, Special Events Chairman, reported on the Committee meeting on 3 April 2023. The Director of Information Technologies explained interviewing new vendors for the Village website. The search has been narrowed down to three vendors.

Mr. Conway, Finance Committee Chairman, reported on the Committee meeting 3 April 2023. The Committee meet concerning the above Duke TIF.

Department Reports:

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Report for Mayor – Mayor Martin reported the spring season is upon us. Activities will be starting. Also, construction is beginning with the Westchester subdivision. The Village hosted a question-and-answer session for residents to ask questions and receive information. The turn-out was good; 20 people. Next, Redwood is starting to put infrastructure into their development. Lastly, the grant for the lift-chair has been submitted. We will know if the Village will get the grant some time around June.

President L. Hall asked if the Village receives the grant, then how long does installation take?

Mr. Mitchell responded the order will take about 3 (three) months to receive and about 2 (two) weeks to install.

Report for Director of Public Service – Mr. Mitchell reported we had a meeting with the Westchester residents and about 25 people attended. The main topics were parking. Consequently, Converse Park and Church lot is opened. The construction will take about 1 (one) month to finish. Next, we are working on a letter for residents affected by the paving program. We will start on the sidewalks. This project will be finished mid-May.

Mr. Wade asked where the construction equipment will be stored.

Mr. Mitchell responded typically the equipment will be at the end of a cul-de-sac in the middle.

Ms. Warner asked about putting a sidewalk in going all the way around.

Mr. Mitchell responded we considered sidewalks during the planning stage and decided they will not fit and instead put in handicap ramps at each end.

Report for Recreation and Special Events Manager – Mr. Stanley reported we have the first event of the year coming up on Saturday, 8 April 2023. We will have hotdogs and hamburger with 16,000 Easter Eggs, 4,000 more than last year. Next month starts our first Friday Night Uptown events. Lastly, we hired pool concession employees.

Report for Director of Finance – Ms. Arnott-Shipley reported Spring is here and so is Tax Season. First, we processed 13 refunds for \$4,160.27 for the Road Workers at ODOT garage. Second, since our last meeting we had no revenue items over \$10,000.00 but had 100 receipts for a total of \$95,940.88. Third, since our last meeting we had several items over \$10,000.00 payment items; MNJ Technologies for \$14,047.000 and ProTech Surfacing LLC for \$108,101.84. Lastly, the total payments since the last meeting was 98 for \$214,194.92.

Report for Chief of Police – Acting Chief Smith reported since the last meeting there were 109 traffic stops, 60 on Main Street, and 67 resulted in citations. Also, on behalf of the Police Department an apology was offered to Mr. Dwane Birtcher and Ms. Kathleen Chrysler for the negative contact they had and will work on addressing their concerns. Follow-ups will be made.

Report for Director of Development – Mr. Hale reported (inaudible 1:25)

Report for Director of Information Technology – nothing to report.

Recognition of Clerk and Council:

Additional Business:

Pay the Bills:

Motion to Pay the Bills moved by Mr. Conway and seconded by Ms. Warner.

VOTE YEA: Cahill, Conway, L. Hall, King, Patterson, Wade, and Warner.
VOTE NAY: None.
ABSTAIN: None.

Motion Carries 7/0/0

Motion to Approve "Then and Now" Certificates over \$3,000.00. None.

Adjourn:

Motion to Adjourn at 8:29 P.M. moved by Mr. Patterson and seconded by Ms. Warner.

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VOTE YEA: Cahill, Conway, L. Hall, King, Patterson, Wade, and Warner.
VOTE NAY: None.
ABSTAIN: None.

Motion Carries 7/0/0

Jimmy John Hall

Jimmy John Hall
Clerk of Council

Linda Hall

Linda Hall
President of Council

Ordinance No. 23-026

Passed April 17, 2023

ORDINANCE 23-026, PURSUANT TO CODIFIED ORDINANCES CHAPTER 1117.01, COUNCIL SHALL SET THE ZONING CLASSIFICATION AT THE TIME OF ANNEXATION OF PARCEL # 08-00344.000 TO PLANNED COMMERCIAL DISTRICT (PCD).

WHEREAS, the current County zoning on parcel 08-00344.000, is General Commercial (C2); and

WHEREAS, pursuant to Planning and Zoning Commissions' recommendation to Council, Case Number WJV23-0005, on 8 March 2023, the petitioner is requesting the zoning be classified as a PCD; and

WHEREAS, the Landowner intends that all or portions of the Property develop in the Village for commercial and other beneficial uses pursuant to the terms and conditions of the zoning classification set by Code and/or future rezoning approvals as approved by Council; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF WEST JEFFERSON, COUNTY OF MADISON, STATE OF OHIO, WITH A MAJORITY OF DULY ELECTED MEMBERS THEREOF CONCURRING AS FOLLOWS:

Section I. Council hereby amends the Official Zoning Map, by setting the zoning classification for parcel 08-00344.000 as PCD pursuant to Codified Ordinances Chapter 1117.01.

Section II. The provisions of this PCD development text shall also combine into one cohesive zoning district with uniform standards and apply to property parcels 10-02021.000, 10-02020.012, 10-02033.000, 08-00344.000 (this parcel is currently being annexed into the Village), 16-00002.000, and 16-00003.000, amounting to +/- 8.94 acres (collectively the "Property").

Section III. The Clerk of Council shall give a certified copy of legislation to the Director of Building, Planning and Zoning to facilitate the changes to the Official Zoning Map of the Village of West Jefferson, Ohio, to reflect the zoning contained in and approved by this ordinance.

Section IV. Pursuant to Codified Ordinances Chapter 1125, applicant will follow procedure for Site Plan Approval for the Zoning District and Requirements.

Section V. This Resolution shall take effect at the earliest period of time allowable by law.

Passed this 17th day of April, 2023

Linda Hall 4/17/23
Linda Hall Date
President of Council

Date received by Mayor 4-18-23

Date Approved by Mayor 4-18-23

ATTEST:

Ray A. Martin
Ray A. Martin, Mayor

Jimmy J. Hall 4/17/23
Jimmy J. Hall Date
Clerk of Council

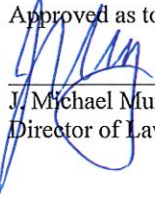
Sections Vetoed: _____

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Approved as to Form:

 4/20/23
J. Michael Murray Date
Director of Law

Ray A. Martin, Mayor Date Vetoed

Summary

Preparing all the quarterly reports with the IRS, JFS and municipal income taxes

Tax Season is upon us. Processed 13 refunds for \$4,160.27 for the Road Workers at the ODOT Garage.

Since the last:

Revenue Items (over \$10,000 other than Water, Tax & Regularly Recd Items)

Nothing over \$10,000.00

Total Receipts since last meeting 100 Receipts \$ 95,940.88

Payment Items (over \$10,000 other than reoccurring expenses - non Payroll)

3/31/2023	MNJ TECHNOLOGIES	Software/Laptop/Surge Protector	\$ 14,047.00
3/31/2023	Pro-Techs Surfacing LLC	Deposit - Playground Surface	\$ 108,101.84

Total Payments since last meeting 98 Payments for \$214194.82

