

RECORD OF PROCEEDINGS

Minutes of

Council

Meeting

GRAPHIC VILLAGE - CINCINNATI, OH

Form 6101

Held

July 5, 2022

MINUTES

REGULAR MEETING OF COUNCIL

JULY 5, 2022

Called to Order:

President Conway called the Village of West Jefferson Council Meeting to Order and asked for a Roll Call at 7:07 P.M.

Roll Call:

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

Quorum Declare: 7 present, 0 absent.

Also attending were: 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: Rev. Jimmy John Hall.

Almighty Father, you tell us in so many ways that we ought to come to you with humility and tremble at your holy word. You also warn against choosing our own way in the place of doing your will. Help us tonight to practice that godly humility and do all things according to your will. We pray also for the victims of the recent mass shooting in Illinois. Be pleased to allow your word to pull down the strongholds of hate so abundant in our county. Lord, increase our faith and perfect what is lacking. Amen.

Pledge of Allegiance: Mr. King.

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 Mr. Wade and seconded by Ms. Hall.

VOICED VOTE AFFIRMED

Motion Carries 7-0.

The Minutes:

Motion to Approve the Minutes of the June 20, 2022, Regular Meeting of Council moved by Ms. Hall and seconded by Ms. Cahill.

VOICED VOTE AFFIRMED

Motion Carries 7-0.

Committee Reports:

Department Reports:

Report from Mayor:

Mayor Martin said, first, thank you to the Police Department for all the security and direction over the July 4th holiday weekend. It was a very busy weekend. A lot of people came to West Jefferson for fireworks and other towns couldn't have any. Likewise, thank you to the Public Service Department for the enormous amount of preparations before, during, and after the holiday; painting the streets, placing traffic cones, and road closures. Next, we are still working on the feral cat issue. The issue is needs the go ahead from the clinic. We have two designs for the traffic boxes. One

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design is picture taken by Paula Hays. Fourth, Shred It Day is July 23, 2022, at the Community Center starting at 9:00 a.m.

Report from Director of Public Service:

Mr. Mitchell said as the Mayor said, the Public Service Department did a great job. We will be opening new bids for Westchester subdivision on Tuesday, July 12, 2022. These new bids will have a completion date of August 2023. Second, the Water Tower is going well. The inside is painted and painting of the outside has started. Third, Garratte Park is near completion. Fourth, at Westwood Park, we are waiting for the County to remove the playground equipment and then it can be excavated for drainage. Fifth, we will be having a water shut down on Thursday, July 7, 2022. Everything will be posted online, Village app, social media, and the front door of the Administration building. The boil alert should expire by Saturday morning.

(Inaudible 8:40)

Mr. Mitchell said this is a totally new bid.

Mr. King asked if this is a high bid, does it have to be accepted?

Mr. Mitchell said we will certainly look at that but I have never been in a situation where we did not receive enough bids to consider. We have estimates but because of the volatile prices in the market at this time, pricing is more difficult.

(Unknown speaker) Is the boil alert for the entire service area?

Mr. Mitchell said just the area indicated on the map.

Mr. Wade asked are we still considering putting a restroom at Westwood Park?

Mr. Mitchell said we are still thinking about that. We are working on the number and utilities.

Report from Recreation and Special Events Manager:

Mr. Stanley said its been pretty dry at the pool, its been drying, and we got hit hard at the pool. The concession stand was busy. Other than that, the pool's been going really well ... we haven't had any issues. Getting chlorine has not been a problem. Lunch and Learn's been going well ... a lot of rain today. They got to go into the fire trucks, showed them how to take gear on an off. Next Friday Night Up Town is next Friday. The schedule of events is: everything opens at 6:00 p.m. We are going to have inflatables there ... a slide, a dunk tank for the Mayor. The band is Pandora Effect from 6:30 p.m. to 9:00 p.m.

Ms. Hall said we talked about ^{SHADE} shade at the pool. Are the umbrellas table umbrellas or something else?

Mr. Stanley said they are stuck in the ground.

Mayor Martin said we are looking into other solutions.

Report from Director of Finance:

Ms. Tiberio said the June Financials will be in the July 18, 2022, Council Packets. The final figures are not in yet but Income Tax appears to be up 30% for June. It appears that we are up approximately 7% for the year. So far in June, we have collected \$575,929.74 for a total of \$3,881,355.28 for the year. Second, we had our first BWC audit in about 10 years. Everything appears to have gone well. Third, we had 157 revenue receipts for a total of \$145,059.18. Fourth, we had 121 payment items for \$420,922.66.

Report from Chief of Police:

Chief Floyd said since last meeting there have been 92 traffic stops, 51 were on Main Street, and 8 resulted in citations. We were down three officers during the July 4th weekend. But, our new auxiliary officers stepped in. At the July 4 Street Fest, we had the premier of two new Bike Officers. People were glad to see them. Assuming everything goes well, a new officer should be hired by the end of the week.

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President Conway asked if officers are keeping an eye on illegal handicap parking?

Chief Floyd said yes, they are.

Report from Development Director:

Mr. Hale said this morning we started software training and the goal is to go live in a week. This will serve every jurisdiction that we work for. About five weeks ago, we welcomed Lemmy Lewis. He brings years of experience and certification. We will have statistics for Council next meeting.

Recognition of Clerk and Council:

Recognition of Guests:

Mr. Dave Petters said I would like to commend all the Village employees for the safe July 4th Street Fest. The question I have is about Westwood. There is a lot of trash in the area. What is the status on the housing project next to the pool and at the west end of Pearl?

President Conway said both are pending.

Ms. Linda O'Reilly said we have heard several experts concerning the wet land near the Redwood development. They have all raised objections to the use of the land; water runoff and water retention, the acres of trees, slopes, the aquatic life. Organizations have worked for years to restore this wet land. According to a 2007 Ordinance, costs or guidelines for the preservation for the Village natural assets to be ... compatible to orderly economic development. Once this natural resource is gone it is gone forever. According to these experts, these resources will be gone at the inaction of Council. Our hope is that the natural resources will be protected by Council action.

Mr. Mike O'Reilly said at the last Council meeting a comment was made about annexation. The building requirements for building will be different. What is that? So, Madison County said a house has to be 1,100 square feet – these exceed that – and the property lines have to be at least 30 feet from other property and looking at the property lines from Redwood they exceed that by 10 feet at least. Also, the County requires 100 feet from a right away for a State Highway. But, according to Redwoods plans, their buildings are closer than that. Why is it so important that Redwood can purchase water from the Village without being in the Village? There is some other reason why you want them annexed. I don't know what it is but the restrictions are by-passed.

Mr. Hale said in Madison County Department of Building and Zoning, they regulate their own building and zoning regulations. We have nothing to do with that. However, I happen to be their Building Official and their Inspection Department. Madison County has a Planned Residential District and Redwood has requested a Planned Mixed Unit, which would not need the set back as you described. The set back you read refers to a single-family home carved out of a farm field. So, there are different types of districts and different types of applications. Council will see final plans with set backs and make a decision.

Mr. Bob Gable said I am with the ODNR. Some of my colleagues have been here already. This is just a follow up. The Darby Creek is a national treasure. The natural resources there are great. It is the best river in Ohio and possible the Mid-West. I grew up here and have been around the Darby my entire life. In regards to this proposal, there is a 10 acres wood lot that we think should be avoided. Also, the slope should be avoided to prevent too much run off and not enough water retention. Next, there is wet land at the bottom of the slope. Storm water should occur on the site to protect the wet land and help with discharge. These areas are important as they help re-charge the ground water.

Ms. Cahill said I was looking at the field between the creek and pumpkin patch, is that still there? Shouldn't the lot the fire department purchased be looked at because a lot of trees were removed? That lot has been eroded. These are the two issues that I have.

Mr. Bob Gable said I looked at that with the Fire Chief a while back. There was a lot of honeysuckle on the lot. I told him remove the invasive tree and plant an additional buffer with a native tree species.

Mayor Martin asked if that has been followed up with?

Mr. Bob Gable said not recently. I would be happy to look into this. The vegetation was not good. Concerning the channel, that would fall under the Army Corp of Engineers. They wanted it to be left alone.

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President Conway asked who owns the property now?

Mr. Bob Gable said the ODNR owns it.

Mayor Martin said you all have heard the phrase 'that was then, this is now.' Ms. O'Reilly made the comment about doing what is right. At the last meeting I made a comment about the 13 home owners meeting with Redwood and asking to remove less trees. Also, what about the ditch? Deeper roots can reclaim the ground. I am a proponent of the Little Darby. A best practice would be for people to meet and protect.

President Conway said will you follow up with the Fire Chief?

Mr. Bob Gable said yes, I will.

Mr. Todd Foley said I am with Pod Design. Collectively we have been in front of Council, Planning and Zoning Commission, ODNR, and various Zoom meetings. We welcome the opportunity to talk about our project. We are very much aware of the concerns. We have taken this very seriously. We are not at a final stage in our process. We are trying to establish the annexation and land use. Then the detailed land use will be developed. It may appear that these concerns are not being addressed, but they are before their time in the order of events. We are looking at how we can save the wood lot, move our development more toward the east, provide a positive response, and preserve the slopes. On the west side of the development, we do not have plans to do anything on the wet land. Although we are not part of the Big Darby Accord, we are subject to the physical requirements of storm water. Our plans are conceptual plans that can develop. Our proposal will add a lot of tree canopy that does not exist today. We have very much taken to heart what we heard. We want to be good neighbors.

President Conway said I hear a lot from ODNR recommendations. Who has the final say? ODNR or EPA?

Mr. Todd Foley said the ODNR acts as an advocate that can provide education for projects. Final approval comes through other agencies.

(Inaudible 53:37)

Mr. Todd Foley said Redwood views this area as an asset too. We are not proposing any kind of improved path that takes people down to the wet land or the water. The kind of people Redwood have in mind is empty nesters. The type of property is rental, will have on site management, no parking on the streets, private streets, and other mechanism in place that will have oversight.

Ms. Linda O'Reilly said the only way to access the creek is at the bridge. That is where people go down and swing on ropes.

Mayor Martin said this is not a public access community. People can't just drive their cars into Redwood, park and walk down to the Darby.

(Unknown Speaker) asked what are the changes you are considering?

Mr. Todd Foley said we are approving the density with the final plan. That will create the maximum. We are looking at the set back. We will be able to communicate more once we get passed this stage.

(Unknown Speaker) asked how much acreage is coming down for forestry? Where are the make-up units? [sic dictum] How are you addressing that?

Mr. Todd Foley said we are not at that stage to share that information. We have looked at the building configurations and storm water.

Old Business:

Second 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.

Motion to Adopt Ordinance 22-046, moved by Mr. Patterson and seconded by Ms. Warner.

Deliberations: President Conway opened up Council deliberations.

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

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

Motion Carries 7-0.

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

Motion to Postpone Ordinance 22-048 to the July 18, 2022, RMC, moved by Ms. Hall and seconded by Ms. Warner.

Deliberations: President Conway opened up Council deliberations.

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

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

Motion Carries 7-0.

New Business:

First Reading of Ordinance 22-053, authorizing changes to the Codified Ordinances of West Jefferson, Ohio, Chapter 925.01, Backflow Prevention Device, by adding Section (f).

Motion to Wave the Second Reading Rule for Ordinance 22-053, moved by Mr. Patterson and seconded by Ms. Warner.

Deliberations: President Conway opened up Council deliberations.

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

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

Motion Carries 7-0.

Motion to Adopt Ordinance 22-053, moved by Ms. Hall and seconded by Mr. Patterson.

Deliberations: President Conway opened up Council deliberations.

Mr. Mitchell said this section puts State Law in our Codified Ordinances.

Ms. Linda O'Reilly asked what does that mean?

Mr. Mitchell said the backflow device for commercial or industrial protects our drinking water.

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

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

Motion Carries 7-0.

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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 7-0.

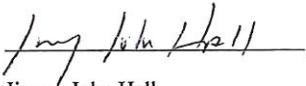
“Then and Now” Certificates over \$3,000.00: None.

Adjourn:

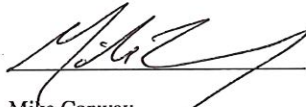
Motion to Adjourn at 8:17 P.M. moved by Ms. Warner and seconded by Mr. Patterson until 7:00 P.M. July 18, 2022, Regular Meeting of Council.

VOICED VOTE AFFIRMED

Motion Carries 7-0.



Jimmy John Hall
Clerk of Council



Mike Conway
President of Council