

# RECORD OF PROCEEDINGS

Minutes of

*Council*

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held

*December 21, 2020*

## MINUTES OF DECEMBER 21, 2020 COUNCIL MEETING

**Meeting called to order at 7:00 P.M.** by President Jen Warner.

**Roll Call:** Council Members Samantha Cahill, Mike Conway, Linda Hall, Richard King, Howard Wade, and Jennifer Warner. Also attending were Finance Director, Rebecca Shipley-Arnott, Chief of Police, Chris Floyd, Building and Zoning Director, Tom Hale, Clerk of Council in Training, Jimmy John Hall, Mayor, Ray Martin, and Public Service Director, John Mitchell.

**Prayer:** Ms. Hall.

**Pledge of Allegiance:** Mr. Conway.

**Motion to Adopt the Agenda** by Mr. Wade and seconded by Mr. Patterson.

*Roll Call: All yeas.*

*Motion Carries 7-0.*

**Motion to Adopt the Minutes** of the December 7, 2020 Council Meeting by Mr. Conway and seconded by Ms. Cahill.

*Roll Call: All yeas.*

*Motion Carries 7-0.*

**Recognition of Guests:** President Warner welcomed the guests and asked their comments be limited to two or three minutes each.

### *Discussion:*

- *Ms. Nena Dillon said she asked people on Facebook about Greenhaven and typed out their comments for the Council. The responses from the Facebook question were 36 nays and 3 yeas. Ms. Dillon said according to Facebook, Mr. Russ Miller talked with a Council member about a new apartment complex being proposed behind Madison Gardens. If that is true, then Council is rushing into doing the Greenhaven development, selling property set aside for parks and recreation that will never be recovered for green space. If the Village sells the green space, then there will be nothing to offer to the incoming families. Please put this divided issue to a vote for the people in the Village.*
- *Mr. David Kell, from Madison County Chamber of Commerce, said he is willing and available to share information or answer any questions, especially concerning small businesses within the Village.*
- *Ms. Bonnie Hamilton said thank you to the Council for listening to all of their concerns and stressed apprehensions for the congestion with the upcoming development. Ms. Hamilton said her driveway was dug up on December 16, 2020 because of a neighbor's plumbing issue and in the process her concrete driveway was damaged. Mr. Mitchell said they will replace the parts of the driveway damaged. Mr. Conway said the repair will be the same as before, concrete and not black-top.*
- *Ms. Sharon McCord said she is opposed to the Greenhaven project as we will never get the green space back. We need to take care of what we have – our streets and parks. COVID has shut everything down. Our streets should be pristine but they are not. Although the Village has talked about a street-sweeper, Ms. McCord said she has never seen one. We need to take care of people that are here right now verses people who might be here later.*
- *Ms. Erica Bogner said she has letters from two residents that could not attend and will paraphrase them. Both of them are against the Greenhaven project.*
- *Ms. Lisa Wooten said she is against this growth. The Village has traffic, sewage, and electrical problems and with another Amazon building going up the issues are not going to get better, neither can people be made to drive an alternative route around the Village. Also, the 'Russ Miller' project with 400 acres and houses is shovel ready but why can't we wait to see how this impacts the Village before moving forward with another building project. Ms. Wooten said she likes living in a small town and choose to stay where she grew up. Lastly, Ms. Wooten's will provide Council with a letter from her neighbor.*
- *Mr. Richard Whittenberger said he has lived in West Jefferson for six years and came from a large city. First, Mr. Whittenberger said there are major issues and many things have been taken for granted. Mr. Whittenberger said that the risk is seeing our intersections turned into Times Square. Mayor Martin told Mr. Whittenberger that a traffic study will be done in the spring. Mr. Whittenberger asked if that will be done first before more building projects? Second, Mr. Whittenberger said the engineering that will be assessed in the spring could cost the Village or the Developer a lot of money. What is in the contract and who will pay for this? Is there a contingency clause in the contract for the responsible party to pay for infrastructure? Mayor Martin said the Village is not paying for infrastructure. Mr. Whittenberger said he is talking about the entrance and exit to the Greenhaven development and whether or not there is a contingency clause. Mr.*

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*Whittenberger said he is talking about the traffic study. Mayor Martin said the contract has already been approved and the Village already voted to sell property. The issue before Council tonight is the site plan. The traffic study will be paid for by the Village although a small traffic study was already done. Mr. Mitchell said Mr. Whittenberger is talking about improvements to the subdivision's infrastructure improvements. Mayor Martin said the developer paid for the entrance and exit to the subdivision. Mayor Martin said the roads have been approved and are the legal width. President Warner declared the guest's time had expired. Ms. Dillion asked to clarify the sale of the property. Mayor Martin said the sale of the property is contingent upon getting the site plan approved.*

- *Mr. Mark Pelphry said he believes the Village is behind in housing development. Many of our children are not living in the Village because new development hasn't occurred. Mr. Pelphry said he believes in ten or fifth teen years our business communities will be wiped out if we do not start adding new housing. The housing issues are unrelated to Route 40 traffic. The cost of these homes is also not an issue. When they are built, they are going to sell. The location next to the rail road tracks is not an issue. The tracks go all the way into Columbus and there are houses along the way. There have also been issues raised about parks. The Village will never build that fourth park if there are no further investments made in housing development. Long term this is going to be viable.*
- *Mr. Tyler Daniels said he moved to West Jefferson for that small town feeling. Mr. Daniels asked how the schools and pools are going to be able to handle an additional 139 units. The addition of 139 more units will do nothing for the traffic problem. Lastly, during the summer there is going to be more kids walking around causing property damage. Instead of the houses we need to do more for this town. For example, people don't go to the local business because of the parking issues.*
- *Mr. Scott Tanner said his family has been part of this community for a long time. However, the new development changed that relationship. Mr. Tanner moved around and one of the benefits of a big city is bedbugs. After moving back to raise a family, Mr. Tanner constantly has to deal with a giant dust pile caused by the Target Warehouse. Mr. Tanner said growth is not a bad thing but wonders if the Village is ready for the growth and if we should wait for other projects to get done first.*

**Old Business:** None.

**New Business:**

**Resolution 20-097**, to accept the development plan in the Planned Mixed Unit (PMU) from Greenhaven Development for parcels 10-00992.000, 10-00992.001, and 16-00034.000, as proposed and recommended by the Planning and Zoning Commission on December 9, 2020.

*Discussion: None.*

**Motion to Table Resolution 20-097** by Mr. Conway and seconded by Ms. Hall.

*Roll Call: 5 yeas and 2 nays (Patterson and Cahill).*

*Motion Carries 5-2.*

**Resolution 20-098**, to accept the variance from the Village's Landscape Code (§1143), for Exeter Route 40 LLC, for parcel 16-00038.000, located at 1020 Enterprise Parkway South, as recommended by the Planning and Zoning Commission on December 9, 2020.

*Discussion: President Warner invited Mr. Justin Muller from Exeter Route 40 LLC. Mr. Muller explained the variance follows the site guidelines. President Warner asked if building #1 is rented. Mr. Muller said not at this time.*

**Motion to adopt Resolution 20-098** by Mr. Wade and seconded by Ms. Cahill.

*Roll Call: All yeas.*

*Motion Carries 7-0.*

**Resolution 20-099**, approving the site plan, and any associated landscaping, for Exeter Route 40 LLC, for parcel 16-00038.000, located at 1020 Enterprise Parkway South, as recommended by the Planning and Zoning Commission on December 9, 2020.

*Discussion: None.*

**Motion to adopt Resolution 20-099** by Ms. Hall and seconded by Mr. Conway.

*Roll Call: All yeas.*

*Motion Carries 7-0.*

**Resolution 20-100**, setting the pay rate for the Finance Director, Rebecca L. Shipley-Arnott, at the Five-Year Level, and making the rate effective January 1, 2021.

*Discussion: None.*

**Motion to adopt Resolution 20-100** by Ms. Hall and seconded by Mr. Wade.

*Roll Call: All yeas.*

*Motion Carries 7-0.*

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**Resolution 20-101**, setting the pay rate for the Chief of Police, Christopher A. Floyd, at the Five-Year Level, and making the rate effective January 1, 2021.

*Discussion: None.*

**Motion to adopt Resolution 20-101** by Ms. Cahill and seconded by Ms. Hall.

*Roll Call: All yeas.*

*Motion Carries 7-0.*

**Resolution 20-102**, confirming Council's reappointment of Paula C. Hay to the Village Planning and Zoning Commission.

*Discussion: None.*

**Motion to adopt Resolution 20-102** by Mr. Conway and seconded by Mr. Wade.

*Roll Call: All yeas.*

*Motion Carries 7-0.*

**Resolution 20-103**, authorizing a donation in the amount of \$3,000.00 to West Jefferson Christmas in the Park Inc.

*Discussion: President Warner said although Christmas in the Park was not an event this year due to the pandemic, they still provided a senior dinner. Mr. Conway said Council donated more to other events and asked if the same is being done for this event. President Warner said that consideration is reflected in this donation amount.*

**Motion to adopt Resolution 20-103** by Mr. Conway and seconded by Ms. Hall.

*Roll Call: All yeas.*

*Motion Carries 7-0.*

**Committee Reports:**

**Finance:** President Warner said nothing at this time.

**Police:** Ms. Hall said noting at this time.

**Employee Benefits:** Mr. King said noting at this time.

*Discussion: President Warner asked Ms. Shipley-Arnott if employing training has begun. Ms. Shipley-Arnott said the training has not begun but the employee packets have been shipped out and a training date in January is being scheduled.*

**Public Service:** Mr. Wade said noting at this time.

**Development:** President Warner said noting at this time.

**Parks and Recreation:** Mr. Conway said noting at this time.

**Special Events:** Mr. Patterson said noting at this time.

**Director of Finance Report:** Ms. Shipley-Arnott said income tax revenue is up 86% in November and up 39% for the year. The Village has recovered from COVID related income tax revenue dips earlier in the year. The Village received from the Bureau of Workers Comp a check for \$190,215.74 for the refund of premiums. This is part of the "Billion Dollars Back" program. The November financials are found in the Council packets.

*Discussion: None.*

**Director of Public Service Report:** Mr. Mitchell said the Christmas lights in Garrett Park and on Main Street Downtown West Jefferson looked wonderful. Mr. Mitchell and Mayor Martin were part of a conference call with the Transportation Improvement District (TID) of Madison County where they discussed obtaining grant funding in the amount of \$200,000 up to \$250,000 to install a traffic signal at Route 40 and Taylor Blair Road. Mr. Mitchell and Mayor Martin presented a traffic study that was performed by Choice One Engineering which under ODOT's Manual of Uniform Traffic Control Devices warrants the installation of a traffic signal at this intersection. Mr. Mitchell and Mayor Martin will continue to work with the Madison County TID group to obtain this grant funding. The Village obtained \$200,000 in Capital Grant funding from the State of Ohio Capital budget. The design and engineering for Lilly Chapel Road improvements should be finished in the next couple of weeks and then we look to put the project out to bid by the end of January.

*Discussion: None.*

**Director of Parks and Recreation Report:** (Above)

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**Mayor's Report and Recognition:** Mayor Martin said the Village is working on the parks but please call us if there are any concerns such as a street issue or a light outage. Mayor Martin also said the various Committees need to turn in their meeting minutes. Lastly, Mayor Martin said he has been appointed to the Transportation Improvement District (TID) Board to seek grants and funds for infrastructure improvements within the County.

*Discussion:* Ms. Cahill asked if there is a priority list of the things being done. Mayor Martin said Garret Park is our first priority. Mr. Wade asked where the money is coming from for the blacktop. Mr. Mitchell said this year the Village is spending \$115,000.00 to fix up the parks, backstops, fences, bleachers, and some other things. We want to fix up East Park, then Converse Park, and finish up Westwood Park last. Each park will cost about \$500,000 to fix. Mr. Wade asked if this money is through a grant. Mayor Martin said the grant money was applied for by London last year and we will apply this year. Mr. Conway said the Village budget some \$260,000.00 specifically for Garret Park plus the \$200,000.00 grant money and reminded everybody that the Village is a year behind due to COVID.

**Chief of Police Report:** Chief Floyd said Amazon has contracted with the Police Department to provide off duty police officers. There are officers working in the morning and in the evening, Amazon is paying them directly, and Amazon is also paying for a police cruiser to be there. This effort from Amazon has drastically cut down on traffic problems on West Main.

*Discussion:* Mayor Martin said these Police Officers doing this on their own time. Chief Floyd said the Police Officers are paid directly and Amazon is paying the Village for the use of the vehicle.

**Recognition of Clerk and Council:** Mr. Conway commented on brining each building project to a public vote. Mr. Conway said the members of Council were elected for this responsibility and if this consideration becomes law, then where does it stop, namely, does every issue become a public vote?

*Discussion:*

- Ms. Dillon said members of Council get voted into office years before the public knows about a building project. This issue is major and not merely an issue about a neighbor's fence. The size of the lots is concerning, there is a lot of division on this issue, we are giving away our green space, and Council needs to know more instead of rushing into this project.
- Mr. Conway said the Council had a First Reading and a Hearing and that is all that has to be done. On the other hand, Council added additional sessions to discuss this issue and Mr. Wade and Mr. King went out door-to-door to people whose property backs up to the development to ask them about their concerns. Council went above and beyond because this is an important issue.
- Another person said nobody is questioning whether or not Council is looking out for the best interest of the Village. In fact, we all appreciate the fact that Council is looking out for us by holding additional meetings. However, if development issues are put to a public vote, what is there to lose besides a couple thousand dollars? The Village should have a public vote because nobody can filter through everything on Facebook, knock on every door, or attend a public meeting due to COVID. The one way everybody can voice their opinion is through a public vote.
- President Warner said this is not practical because no builder would want to do the due diligent when the issue comes down to a public vote twice a year.
- Another person asked why the guests present are accusing Council of not listening while they are demonstrating right before our eyes their willingness to listen and vote accordingly.
- Another person continued to follow the same question, namely, what is there to lose if building becomes a public vote.
- President Warner said what we have to lose is anybody in the future wanting to build in the Village.
- Mayor Martin pointed out that the formal process for voting would be a general election. If a builder comes to the Village in January, then they will have to wait until November and the subsequent election results. Even the proposed petition being circularized acknowledges a general election and not more than that.
- Another person suggested an informal election, a process that would cost about \$1,500.00 and could go into the mail like the water bill.
- Mr. Conway said Council is concerned for the entire Village.
- Ms. Cahill said they are reading social media post, answer emails, and phone calls. In summary, Council is gathering information and cares about these issues.
- Mr. Craig Moncrief, who represents the developer, said the properties compliment the area, are larger lots than what people think, and wants responsible growth. The property will provide a lot toward taxes. The property was previously zoned for residential but we wanted to develop the property with the Village. Keep this in mind, in the last three years some 6,000 jobs have been added to the area while only three houses have been built.
- Mr. Wade answered Mr. Whittenberger's question about the door-to-door survey. Mr. Wade said most of the people were neutral concerning the development.
- President Warner said if there are any additional question, Council will be available afterwards.

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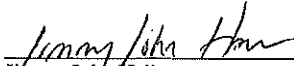
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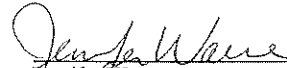
**Additional Business:** None.

**Motion to pay the bills** by Ms. Cahill and seconded by Mr. Wade.  
*Passed by acclamation of Council.*

**Motion to approve "Then and Now" Certificates over \$3,000.00:** None.

**Motion to adjourn at 8:17 P.M.** by Ms. Hall and seconded by Mr. Wade.  
*Passed by acclamation of Council.*

  
Jimmy John Hall  
Clerk of Council in Training

  
Jennifer Warner  
President of Council