

RECORD OF PROCEEDINGS

Minutes of _____

Meeting _____

GRAPHIC VILLAGE - CINCINNATI, OH

Form 6101

Held _____



VILLAGE OF WEST JEFFERSON COUNCIL

MINUTES

November 6th, 2023

Council Members: President Linda Hall, Vice President Jennifer Warner, Samantha Cahill, Mike Conway, Richard King, Jeff Patterson & Howard Wade

Mayor: Ray Martin

CALL TO ORDER

President Linda Hall called the Village of West Jefferson Council Meeting to Order at 7:01 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: Mayor, Ray Martin; Director of Information Technology, Mark Crosten; Director of Finance, Rebecca Shipley-Arnott; Acting Chief of Police, Brandon Smith; Director of Public Service, John Mitchell, Recreation and Special Events Manager, Shelton Stanley; Director of Development, Tom Hale; Zoning Clerk and Enforcement Official, Kristie West; and Clerk of Council, Tisha Edwards.

PRAYER & PLEDGE

APPROVAL OF AGENDA AND MINUTES:

Motion to Adopt the Agenda Moved by Jennifer Warner and seconded by Samantha Cahill.

·All in Favor

Motion to Approve the Minutes of the October 16th, 2023 Regular Meeting of Council. Moved by Howard Wade and seconded by Samantha Cahill.

·All in Favor

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RECOGNITION OF GUESTS:

All guests are given 3 minutes to speak unless prior arrangements were made for more time.

All guests this evening on the list were here to speak for the Public Hearing.

NEW BUSINESS:

Clerk of Council stated that it had been brought to her attention by our Law Director that an amendment needed to be made to Ordinance 23-077. It needed to be changed to a Resolution.

Motion to amend ORDINANCE 23-077 moved by Jennifer Warner and Seconded by Samantha Cahill.

Deliberations began. "Any questions or comments?" Clerk of Council explained that after a meeting with the Law Director and the Development Department any legislation for preliminary or final development plans that have already been zoned or not looking to rezone need to be listed as Resolutions and not Ordinances. The first read was done as an Ordinance and he asked that an amendment be done to change the legislation before the second reading was done.

Deliberations ended.

Roll call.

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

VOTED NAY: None.

ABSTAINED: None. **Motion Carried 7/0/0**

President Linda Hall entered into a Public Hearing at 7:06 p.m.

The Public Hearing was to approve the preliminary and final development plan per Ordinance 1125.10, for a proposed Circle K retail gasoline sales and convenience store.

President Linda Hall asked if there was anyone to speak on behalf of the subject.

Brett Lamb introduced himself as a representative from the developing company. There was a presentation provided that showed different illustrated views of the proposed plan.

Council was then asked if they had any questions for the representative.

- **How high would the arbor wall and privacy fence be?** The height was not listed except that eventually they would be 20-30 ft tall. Council asked if the trees could be purchased from 6-8 ft to begin. The fence that would be constructed would be 6 ft. tall.
- **How far would the lightening extend?** There were slides that showed the extent of the lighting and the proposed reach of the light.
- **What is the setback?** 50 ft. except for in one area which is 39 ft. A variance was required and planning and zoning approved it.
- **Where are the signs located and how high are they?** The main sign is 20 ft high and it is located at the corner of Gardner and Rt. 40.

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- **Storage tank safety?** There are 3 tanks that are all 15 ft deep and designed for state standards. Diesel will not be offered.
- **Security? Is there a panic button if any issues?** The facility will have a state-of-the-art security system just like their other stores. The representatives could not state if there is a "panic button" but would ask.

Residents who wished to speak were asked to come forward at this time.

- Linda O'Reilly- Some of her concerns are: noise levels, car doors slamming, lighting, traffic, 24/7 operation, smell of gas, tank explosions. We already have convenience stores and gas stations. Signage height- she is concerned about the height. When talks for Turkey Hill was going on, residents expressed that they would like to keep the signs lower.
- Mike O'Reilly- His main concern is lack of privacy. He stated the fence needs to be 8ft not 6ft. We are losing our small-town atmosphere. Height of signs needs to be compared to Dublin, Hilliard, Westerville, and other cities.
- Paul Casa- Wanted Council to know another gas station is not needed. Have there been any traffic studies for this corner? Those are his 2 main concerns.
- Nina Casa- Looking at the residents behind this location, a privacy fence and trees need to be all the way down the drive, especially in the area that does not have the 50 ft setback. Has there been a traffic study? John Mitchell, the Public Service Director stated that there were studies done for the project/property across St Rt 142 (Russ's) and Turkey Hill but not for this. One could be requested.

The mayor asked that Tom or John explain the difference between a retention and detention pond. This would be a detention pond. This would not have water in it all the time. It would be more of a grass area when there is no water.

- David McAninch- He wanted Council to know he is not for the development. Feels like it is trying to be shoved into an odd shaped property. The 6 ft fence is not tall enough. He is saying that he will need more protection for his family and residence from this property if passed.
- Darci McAninch- There are already enough traffic problems in the area. They said they reached out to the neighbors and she has never been contacted by the developer in any form. She is very concerned about the closeness of the development to her residential property.

Concluding statements by Council-

Councilmember, Mike Conway, asked Tom Hale, the Development Director, to explain a planned commerce district and what could go on that if not a gas station. He replied examples such as, auto sales, banks, manufacturing, distribution, offices, restaurants, retail, hotel, motel, printing, publishing, and other commercial use as approved by Council.

Many times, people are waiting in line at McDonalds on Rt 40. Maybe this would help alleviate some of the line if people are going to Circle K to get their coffee, drinks & sandwiches instead.

The time of the closing of the Public Hearing was 7:53 p.m.

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A. 2nd reading of **RESOLUTION 23-077**, TO APPROVE THE PRELIMINARY AND FINAL DEVELOPMENT PLAN PER ORDINANCE 1125.10, FOR A PROPOSED CIRCLE K RETAIL GASOLINE SALES AND CONVENIENCE STORE.

Motion to adopt RESOLUTION 23-077 moved by Jennifer Warner and Seconded by Samantha Cahill.

Deliberations began. "Any questions or comments?" Richard King asked Linda Hall if we could motion to table the Resolution until we had more answers in regard to the traffic study, security issues, the tree and other questions that were presented. Jeff Patterson also spoke and stated that he thinks that we are just inviting more traffic to West Jefferson if we put a gas station there. He wants people to drive to 29 or 42 off of 70 to get gas, not bring them through town. Since we already have 3 gas stations and 2 that have gas available 24/7, he does not feel as though another one is needed.

Deliberations ended.

A motion to table RESOLUTION 23-077 moved by Richard King and seconded by Howard Wade.

Roll call.

VOTED YEA: Richard King, Howard Wade

VOTED NAY: Mike Conway, Linda Hall, Jeff Patterson, Jennifer Warner, and Howard Wade.

ABSTAINED: **Motion Failed 2/5/0**

Due to the motion to table failing, the Council voted on RESOLUTION 23-077

VOTED YEA: Samantha Cahill

VOTED NAY: Mike Conway, Jeff Patterson, Richard King, Jennifer Warner, and Howard Wade.

ABSTAINED: Linda Hall. **Motion Failed 1/5/1**

B. *ORDINANCE 23-082, ESTABLISHING THE VILLAGE OF WEST JEFFERSON, OHIO SPECIAL PURPOSE FLOOD DAMAGE PREVENTION ORDINANCE, REPEALING ORDINANCE 91-037, PASSED MAY 20, 1991, AND DECLARING AN EMERGENCY.

Motion to waive the 2nd reading of ORDINANCE 23-082 due to emergency moved by Samantha Cahill and Seconded by Jennifer Warner.

Deliberations began. "Any questions or comments?" Mike Conway asked why it needed to be an emergency. It was explained that it was a FEMA deadline and that the information was requested to be reviewed by the Law Director in July but it was received back late so now it is an emergency to get it passed for the November 16, 2023 deadline.

Deliberations ended.

Roll call.

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

VOTED NAY: None.

ABSTAINED: None. **Motion Carried 7/0/0**

Motion to adopt ORDINANCE 23-082 moved by Mike Conway and Seconded by Howard Wade.

Deliberations began. "Any questions or comments?" None

Deliberations ended.

Roll call.

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

VOTED NAY: None.

ABSTAINED: None. **Motion Carried 7/0/0**

C. The first reading of **ORDINANCE 23-083**, AN ORDINANCE REPEALING ORDINANCE 19-007 PASSED JANUARY 7, 2019, AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO IMPOSE A NEW WATER AND SEWER RATE SCHEDULE AND REPEALING ANY ORDINANCE OR SECTION OF AN ORDINANCE THAT MAY BE IN CONFLICT WITH THIS ORDINANCE.

The second reading will be at the November 20th, 2023 regular meeting of Council.

D. *ORDINANCE 23-084, AUTHORIZING A TRANSFER OF APPROPRIATION OF \$4,000.00 WITHIN THE GENERAL FUND.

Motion to waive the 2nd reading of ORDINANCE 23-084 due to emergency moved by Samantha Cahill and Seconded by Jennifer Warner.

Deliberations began. "Any questions or comments?" none

Deliberations ended.

Roll call.

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

VOTED NAY: None.

ABSTAINED: None. **Motion Carried 7/0/0**

Motion to adopt Ordinance 23-084 moved by Samantha Cahill and Seconded by Jennifer Warner.

Deliberations began. "Any questions or comments?" John Mitchell stated that this was funds transferred needed for the Personnel fund for Parks and Recreation.

Deliberations ended.

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Roll call.

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

VOTED NAY: None.

ABSTAINED: None. **Motion Carried 7/0/0**

COMMITTEE REPORTS

Public Service and Special Events (Chair & Council member, Howard Wade) None.

Finance (Chair & Council member, Mike Conway) None.

Employee Benefits (Chair & Council member, Richard King) None.

Parks and Recreation (Chair & Council member, Jeff Patterson) – None.

Development (Chair & Council member, Jennifer Warner) None.

Police (Chair & Council member, Samantha Cahill) – None.

DEPARTMENT REPORTS

Report for Mayor – Mayor Martin asked if everyone recognized that there is a new sidewalk going up to the Community Center? It is now wide enough to accommodate wheel chairs or larger groups of people. If you head south and look at the corner of Walnut Street and Main Street you will see a new wrap around the light utility box in front of the bank. It has the branches of the military on it and is a beautiful addition to the downtown. There is another one being worked on that will be placed at Twin Street and Main Street that has the West Jefferson Roughrider theme. John Mitchell and the Mayor met with Mark Edwards from the Madison County ODOT office and had a good discussion. They were able to discuss who is responsible for repairs and in which areas on Rt 40. They discussed the viaduct and ODOT is turning in another report in this year. The speed limit was discussed from Dollar General to Inwood Rd. We are still checking into a light at Inwood Rd.

Report for the Director of Public Service- Director, John Mitchell – reported that the leaf program is going well and will go on until the end of the month. A traffic count study was done at Inwood Rd. It still does not warrant a traffic signal but they are still looking into the possibility of getting one. They also did a traffic study at Enterprise Drive and Rt 40. Acting Chief Smith has been informing him of accidents at that area. He just received the final plans and approval for the crosswalk at Franklin and Rt 40. That is in the budget for next year. The contract will be bid in December and given out in January. The salt barns were recently filled for the Winter.

Report for Recreation and Special Events Manager – Manager, Shelton Stanley reported that they had a very successful Fall Fest and is very thankful to the Community for their attendance, for all of the volunteers and for all of the employees who helped make it a successful event. They have the Shop Hop planned for Saturday November 25th at the Community Center 9am-12pm.

We currently have 22 vendors for the event. The Snowflake winter formal dance is scheduled for December 15th from 6pm-8pm at the Community Center as well. Shop with a Cop is scheduled for December 16th and Acting Chief Smith will talk about that in his report.

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Report for Director of Finance – Director of Finance, Rebecca Arnott-Shipley reported that she did not have the final figures for Income Tax for October, but we appear to be substantially down.

The October Financials will be in the next Council packet.

The current proposed budgets were sent out to everyone via email. Please be sure to contact her if you have any questions. Printed copies can be requested.

During October we made \$44,170.77 in interest.

We will be having an Employee Benefits/Finance Committee meeting and she will email a date to everyone as soon as she can get the schedules together.

Revenue items (over \$10, 000 other than water, tax & regularly received items)

10/26/2023 Madison County Auditor-County Portion of Development Software \$15,274.06

Total receipts since last reporting 203 receipts for \$1,026,797.85 thru 11/03/23

Payments over \$10,000 other than reoccurring expenses-non payroll)

10/27/23	Miller Cable Co	Traffic signal	\$219,325.07
10/27/23	Motorola Solutions	Hardware/Software	\$ 10,260.03
10/27/23	Parr Safety Equipment	Cruiser Equipment	\$ 21,476.07
11/02/23	Opengov	Balance Software Contract	\$ 10,834.67

Total payments since last reporting 102 payments for \$406,965.40 thru 11/6/23
180 invoices paid

Report for Chief of Police – Acting Chief, Lt. Brandon Smith reported that they will be training with their firearms instructor this month for Practical exercises and situational training before qualifications. The officers will be trained in the evening this year versus the day time to make sure they are on target in both. State Certification for Diego and Officer Salem are Thursday, November 9th. Once they receive their certification back from the State, they will be full time on the road. Background checks continue for the Police Officer position. The Department will be applying for State (75%) and Federal (25%) grants for the officer's ballistic vest. Shop with a Cop will be on December 16th 2023. They have already had numerous vendors approach them interested in participating. Since the last report there have been 168 traffic stops, 86 on Main Street and 91 citations were given. Council wanted to give their condolences to Lt. Smith for the loss of his K9 partner, Arc. Council member Jennifer Warner stated she will always remember that when they attended the funeral for the Westerville Officers who were killed, Brandon and Arc were on the corner and Arc stood perfect still. 10 ft away there were multiple dogs barking and could have been a distraction but he was perfectly disciplined and respectful.

Report for Director of Development – Director, Tom Hale spoke in regard to the importance of the FEMA paperwork that Council passed this evening. The Clerk of Council has been assisting the department with getting the documents and signatures necessary to have that in on time. Since taking over the County Department in September, it has been keeping them very busy which they are OK with. Thursday they will invite the Village to be a member of MORPC and have accepted the application from the Village. Tom will be attending the meeting for that as a representative to the Village.

Report for Director of Information Technology – Director, Mark Crosten reported that he has nothing specific to report at this time.

Recognition of Clerk and Council –

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ADDITIONAL BUSINESS-

PAY THE BILLS

Motion to Pay the Bills moved by Jeff Patterson and seconded by Richard King.

-All in Favor

Motion to enter into Executive Session at 8:20 p.m. to discuss Economic Development. Motion moved by Samantha Cahill and seconded by Jennifer Warner.

-All in Favor

Motion to return to Regular Session at 9:03 p.m. motioned by Jennifer Warner and seconded by Howard Wade.

ADJOURN

Motion to Adjourn by President Linda Hall at 9:04 p.m. and reconvene at the November 20th, 2023 regular meeting of Council. Motion moved by Jeff Patterson and seconded by Samantha Cahill.

All in favor.

Tisha Edwards 11.20.23
Clerk of Council

Linda Hall 11/20/23
President of Council