

RECORD OF PROCEEDINGS

Minutes of

Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held

October 18, 2021

MINUTES OF OCTOBER 18, 2021 COUNCIL MEETING

Meeting Called to Order: 7:00 P.M. by President Warner.

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

Absent Member(s): None.

Quorum Declare: 7 present, 0 absent.

Also attending were Director of Finance, Rebecca Arnott-Shiple; Chief of Police, Chris Floyd; Clerk of Council, Jimmy John Hall; Planning and Zoning Commission, Paula Hay; Mayor, Ray Martin; Director of Public Service, John Mitchell; Recreation and Special Events Manager, Shelton Stanley; Building and Zoning Clerk, Kristie West.

Prayer: Ms. Hall.

Pledge of Allegiance: Mr. Conway.

Motion to Adopt the Agenda by Mr. King and seconded by Mr. Wade.

Roll Call: All yeas.

Motion Carries 7-0.

Motion to Adopt the Minutes of the October 4, 2021, Council Meeting by Ms. Cahill and seconded by Mr. Wade.

Roll Call: All yeas.

Motion Carries 7-0.

Recognition of Guests: Nineteen (19) guests present.

- *Guest 1 said he wants to talk about the project going on behind his building. Guest 1 said he doesn't know everything that is going on but has seen some drawings and the development looks nice. However, after looking at the site plan again, is there an easement next to his parking lot? How close can the development put there driveway up against his property.*
- *Mayor Martin asked how far does his pavement approach to the property line?*
- *Guest 1 said to the property line. His building sits on the property line. His concern is for clarity about any easement. There is pavement that goes behind his build.*
- *Mayor Martin said it is existing pavement.*
- *Mr. Mitchell said there is a walkway not a driveway.*
- *Guest 1 said he is concerned that there is no easement and can't park a car or let it hang over a little. Shouldn't there be an easement?*
- *Mayor Martin said if there was an easement, then it's for both sides.*
- *Mr. Mitchell asked why would there be an easement?*
- *Ms. Cahill asked if there is a grass strip right now?*
- *Guest 1 said yes there is. Guest 1 said he talked to the developer today but she did not know about this meeting.*
- *Mr. Hall said the developer did know about the meeting. Earlier today various emails were shared back and forth. Since the developer's legislation is tabled, the developer is not coming.*
- *Mr. Mitchell said Guest 1 built up to his property line and why can't this property owner?*
- *Mayor Martin said he will talk to the Building & Zoning Director.*
- *Guest 2 said she would also like to talk about the apartment development. Her backyard backs up to the pool. Currently there is a fence. When the fence went in there was very little notice given. It was see-*

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through. I called the Village and they put in one cover but still see-through. Her problem with the apartment is the rumor of a retainer wall. Is this going to go clear across the pool so she doesn't have all this sound coming from the apartments?

- Mayor Martin said it's not a retainer wall but a six (6) foot high privacy fences.
- Guest 2 asked how we are going to be protected from all this apartment noise?
- Mayor Martin said all the noise cannot be blocked out by any means.
- Guest 2 asked about the entrance off Inwood. Her concern is the traffic, even at 6:15 A.M. Can we make the speed limit 35 mph to keep people from speeding?
- Mr. Conway said once we get the light up at Taylor Blair, we are looking at putting a light up at Inwood.
- Guest 2 said she does not want apartments behind her house. If, on the other hand, it was homes or condos, nobody would have batted an eye. For business, this is fantastic; but for my home, it horrible.

Old Business:

Second Reading of Ordinance 21-074, accepting the recommendation of the Planning & Zoning Commission to rezone Parcel 10-02022.00 from Residence District (R-1) to Condos (C).

Discussion: President Warner invited comments.

Motion to Adopt Ordinance 21-074 by Ms. Hall and seconded by Mr. Conway.

Roll Call: All yeas.

Motion Carries 7-0.

New Business:

First Reading of Ordinance 21-076, an ordinance amending Ordinance 20-052, Passed August 3, 2020, (The Employee Handbook), by amending Policy 14:14.

Resolution 21-077, authorizing a cash transfer from the General Fund to the State Highway Fund in the amount of \$175,000.00.

Discussion: President Warner invited comments.

- Ms. Arnott-Shipleay said this is for the installation of the traffic signal for the grant money we did not receive.
- Mr. Mitchell said we are in the final stages of design, nearing complete. We are working on getting 'right of way' and acquisition code for a shopping center there. We are waiting on steel supplies.

Motion to Adopt Resolution 21-077 by Mr. Conway and seconded by Mr. Wade.

Roll Call: Seven (7) yeas and zero (0).

Motion Carries 7-0.

Resolution 21-078, setting the Pay Rate for the Clerk of Council, Jimmy John Hall, at Step 5.

Discussion: President Warner invited comments.

- President Warner said the Clerk of Council has worked very hard and been a saving grace. He has helped Council and gone over and above. He is appreciated.

Motion to Adopt Resolution 21-078 by Ms. Hall and seconded by Mr. Patterson.

Roll Call: Seven (7) yeas and zero (0).

Motion Carries 7-0.

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Resolution 21-079, amending Resolution 21-049, passed June 7, 2021, setting Employee Cell Phone Reimbursement Allowances.

Discussion: President Warner invited comments.

- *Ms. Arnott-Shipleigh said previously we did not have the Assistant Director of Finance or the Chief Building Inspector on our policy but have recently hired for both positions and would like to add them.*

Motion to Adopt Resolution 21-079 by Mr. Conway and seconded by Mr. Wade.

Roll Call: Six (6) yeas and one (a) abstain.

Motion Carries 6-0-1.

Committee Reports:

Finance: Committee Chair, Ms. Hall, said nothing at this time.

Police: Committee Chair, Ms. Cahill, said nothing at this time.

Employee Benefits: Committee Chair, Mr. King, nothing at this time.

Public Service: Committee Chair, Mr. Wade, said nothing at this time.

Development: Committee Chair, President Warner, said nothing at this time.

Parks and Recreation: Committee Chair, Mr. Patterson, said nothing at this time.

Special Events: Committee Chair, Mr. Conway, said nothing at this time.

Department Reports:

Mayor's Report and Recognition: Mayor Martin said we are excited about the park finally being started. We are also excited about our *Fall Festival*. There are a lot of good things. We are in the finally stages of preparing a budget and will have that at the next Council meeting.

Discussion: President Warner invited comments.

- *Mr. Wade asked if somebody asked Kroger's to mow their lot?*
- *Mayor Martin said we did ask Kroger's to mow their lot.*

Director of Public Service Report: John Mitchell said we continue to work on Taylor Blair Rd and the Right of Way description. Leaf Collection started today (October 18, 2021) and ends Thanksgiving. We are updating the pavement maintenance program. We are getting the Contractor to work on Garrett Park's water and sewer installation and new electrical equipment.

Discussion: President Warner invited comments.

Recreation and Special Events Manager: Mr. Stanley said this past weekend we had the *Sensory Sensitive Photo Shoot*. This even went really well. We also end our sand volleyball. This coming weekend we have the *Fall Festival* on Saturday and it's pretty "*haunted-y*." If anybody has any question, feel free to reach out to Shelton Stanley.

Director of Finance Report: Ms. Shipleigh-Arnott said the proposed 2022 Budget Packet is on each Council person's seat. September figures are not final for the Income Tax Department. However, it appears that income tax collections are up approximately 19% for September. Income Tax is still up approximately 41% for the year. The September financials will be in the next meeting packets. We had one (1) revenue item; Duke - Community Building Permit. Lastly, we paid Martin Painting & Coating, Parr Safety Equipment, Landscape Structures, and Battelle Memorial for tank painting, outfitting a police cruiser, Garrett Park, and second half TIF payment, respectively.

Chief of Police Report: Chief Floyd said we have been busy during the last couple of weeks as we have hired one (1) police officer and have been interviewing many others. A lot of these applicants are coming from larger municipalities - Franklin County - and are willing to work for less to come to a great community

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like ours. In the last two (2) weeks we have made ninety-nine (99) traffic stops and made eighty-five (85) citations.

Discussion: President Warner invited comments.

- *Ms. Cahill said on Friday she was stopped for the school bus and people are still passing it.*
- *Chief Floyd said we are still watching.*
- *Ms. Cahill said it appears that people are just not aware of the law or the dangerous situation they are creating.*
- *Guest 1 asked if somebody gets a tick for this, do they automatically go to court because it's a State Law?*
- *Chief Floyd said yes, they do but not because it's a State Law; the State Law requires a court appearance.*

Recognition of Clerk and Council:

Discussion: President Warner invited comments.

- *Mr. Hall said thank you for passing that resolution. The Charter Review mailing went out last week a day early because there were a lot of questions about the whereabouts of the ballot information. A lot of the addresses are outside of the Village - the Auditor's site didn't know how to determine the difference since some those people vote in the Village. We are at the mercy of the Auditor's site for an accurate list of Village voters. It has also been published in the Madison Messenger for Sunday October 17 and 24, as well as it will be posted at election sites by the Board of Elections. If anybody has any question, feel to direct those questions to the Clerk of Council.*

Additional Business: None.

Motion to Pay the Bills:

Passed by acclamation of Council.

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

Executive Session:

Motion to Enter into Executive Session to Discuss Confidential Business Information of an Applicant for Economic Development Assistance moved by Mr. Conway and seconded by Mr. Wade.

Roll Call 7 Yeas 0 Nays.

Motion to Return to Regular Session by Ms. Hall and seconded by Ms. Cahill.

Roll Call 7 Yeas 0 Nays.

Motion to Adjourn at 10:10 P.M. by Mr. Patterson and seconded by Ms. Hall.

Passed by acclamation of Council.

Jimmy John Hall

Jimmy John Hall
Clerk of Council

Jennifer Warner

Jennifer Warner
President of Council