

RECORD OF PROCEEDINGS

Minutes of

Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held

March 7, 2022

MINUTES REGULAR MEETING OF COUNCIL MARCH 7, 2022

Called to Order:

President Conway called the Village of West Jefferson Council Meeting to Order and asked for a Roll Call at 7:00 P.M.

Roll Call:

Council Members Samantha Cahill, Mike Conway, Linda Hall, Richard King, Jeff Patterson Howard Wade, and Jennifer Warner [Also attending were Finance Director, Becky Arnott-Shipley; Chief of Police Chris Floyd; Clerk of Council, Jimmy John Hall; Development Director, Tom Hale; Public Service Director, John Mitchell; Recreation and Special Events Manager, Shelton Stanley; Building and Zoning Code Enforcement Official, Kristie West]. *Mayor Kay Martin*

Quorum Declare: 7 present, 0 absent.

Prayer: Mr. Richard King.

Lord, thank you for bring us to this meeting. We ask that you would help us make good decision as leaders. Help us also, Lord, to have respect for other, even if there is disagreement. We ask these things in Jesus' Name. Amen.

Pledge of Allegiance: Mr. Howard 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.

The Agenda:

Motion to Adopt the Agenda moved by Ms. Hall and seconded by Mr. King.
VOICED VOTE AFFIRMED
Motion Carries 7-0.

The Minutes:

Motion to Adopt the Minutes of the February 21, 2022, Regular Meeting of Council moved by Mr. Wade and seconded by Mr. Patterson.
VOICED VOTE AFFIRMED
Motion Carries 7-0.

Committee Reports:

Mr. King reported for the Employee Benefits Committee. After talking to the Director of Finance, we will get all the information together and will be having a meeting.

Mr. Wade reported for the Public Service and Special Events Committee. There will be a meeting for a discussion of a new sign. The Public Service Director will provide pictures and documentation.

Department Reports:

Report from Mayor:

Mayor Martin said we are cracking down on trucks in the neighborhood. Last week two Swift trucks went into the neighborhood. One truck took out a street lamp and a fire hydrant and fled the scene. With the help of the Police Chief and Detective Casey Conly, the truck driver was identified. Restitution will be made. The second truck is still being investigated. Now we are putting "no truck" signs on the non-through roads. We thank one of the residents who called us before we made a mistake on a buffer zone. Also, next Regular Meeting of Council there will be a CRA resolution. The Schools, Fire Department, and Trustees have all approved the CRA agreement. As you can see, this Council and Mayor are trying to work together with the community for good thing and more to come. Lastly, our drainage during these last storms is going well.

Mr. Wade asked if the company was sited for the truck in the neighborhood?

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Chief Floyd said the company cannot be sited but only the driver.

Report from Director of Public Service:

John Mitchell said progress is being made with Westwood Park. Some decision will be made soon for the lay out and equipment. Garrett Park will have some work done as weather improves.

Report from Recreation and Special Events Manager:

Shelton Stanley said the ball fields are getting ready for spring baseball us. The Porta-Johns have been delivered. Coming up is coming up on March 27. The Sensory Sensitive Easter Egg hunt is April 2 and the Community Easter Egg Hunt is on April 16. Links will be provided on line.

Report from Director of Finance:

Becky Arnott-Shipley said Jackie was at the previous meeting and did not mention the Annual Credit Card Report but it was passed out. Next, the 2021 Financials and Footnotes are completed and submitted. Also, Income Tax is up 13% from last year. Additionally, we processed 69 tax refunds. Lastly, the revenue items we had were from the City of London, Fed One of Dublin, and Comet Process. Payment items were to Lexipol.

Report from Chief of Police:

Chief Floyd said officer training is going really well. Next, we have begun the interviewing process for additional officers and dispatch. Over the last two weeks, we made 269 traffic stops and 108 resulted in citations.

Ms. Hall asked about the hours for a part-time dispatch person.

Chief Floyd said those hours will be on a need basis, namely, whenever somebody calls off, at any time of the day or night, and every day of the week. This is not a regular part-time position.

Report from Development Director:

Tom Hale said later in the month there will an update. Some rather large things have happened today. As hard as we have been avoiding it, demolition is scheduled for March 14, 2022. We anticipate some push back. The Mayor got a phone call stating that the building would be done but, even with some nice days, the building is not done as it has no roof.

Ms. Hall asked if the property owner has been informed.

Tom Hale said indeed. We have proof of service.

President Mike asked if a summary could be provided?

Tom Hale said this structure started in 2016 and has never been finished. In the Fall of 2021, the village had a public hearing and began to take action to remove the structure.

Ms. Cahill asked if the Village can fine the owners and put a lean on the property?

Tom Hale said the answer to both question is yes. The fine will be for the expenses to the Village. We will invoice the owner when this is complete and it may be attached to the taxes.

Jimmy John Hall said we should acknowledge the hard work of everybody in the Development Department. As you can see, this was difficult for Mr. Hale to discuss as he did everything to avoid this, including much patience.

President Mike said we wish this could be a different outcome.

Recognition of Clerk and Council:

Jimmy John Hall said, first, the Walter Drain replacement finally came. However, they will be sending us the red-letter pages with the changes from the State Legislator before you vote on the legislation. Second, all the paper for ordinances, resolution, and proceedings has finally arrived. But the company alerted me that they might not continue this paper anymore. So, I order more, enough for several years until we find a new distributor. Third, I will be gone all day Friday. If you need my please call my phone.

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Recognition of Guests:

Ron Garver said I got a letter in the mail concerning to come to the meeting tonight. I like to discuss issue about the park. Have we forgotten the things people have done for this Village years ago? Do you remember Don Schiff? He helped with the tennis courts. Could you leave at least two courts? Two would be better than one. The basketball court being redone is good. A lot of kids have been using it lately. I would like to see a track put back in. Year ago, we had a half mile track.

John Mitchell (inaudible)

President Conway said we will be having another meeting with Choice One Engineering and then with the public before we do anything. I apologize that the letter didn't have the right information. We will fix that for next time ...

John Mitchell said the letter was from a resident.

Old Business:

New Business:

Resolution 22-023, accepting the annexation of certain territory to the Village of West Jefferson, Ohio, pursuant to an annexation petition filled with and granted by the Board of County Commissioners of Madison County, Ohio, as provided for in Ohio Revised Code Section 709.023.

President Conway invited discussion.

Ms. Hall asked the petitioner what they intend to build on the property?

Tom Hard said what I filed as the petitioner has a lot of flexibility and possibilities. When we filled, we included a gas station, grocery store, or shared use. After re-zoning, we would like the market to decide.

Ms. Warner asked what is the desired zoning?

Tom Hard said we attached with our pre-annexation legislation the intention of a planed commercial district (PCD).

Motion to Adopt Resolution 22-023 moved by Mr. Patterson and seconded by Mr. King.
VOTE YEA: Ms. Cahill, Mr. Conway, Ms. Hall, Mr. King, Mr. Patterson, Mr. Wade, and Ms. Warner.

VOTE NAY: None.

ABSTAIN: None.

Motion Carries 7-0.

Ordinance 22-024, to approve current replacement pages to the West Jefferson Codified Ordinances and declaring and emergency.

President Conway invited discussion.

Ms. Hall said we really have not had enough time to look at all the changes from the State Legislator. I would like to table this piece.

Ron Garver asked why is this an emergency ordinance?

President Conway said it's an emergency because of the time it took to complete by Walter Drain due to the pandemic.

Mayor Martin asked about the statues from the Legislator. This is what we normally do every year.

Motion to Table Ordinance 22-024 moved by Ms. Hall and seconded by Mr. King.

VOTE YEA: Mr. Conway, Ms. Hall, Mr. King, Mr. Patterson, and Mr. Wade.

VOTE NAY: 2; Ms. Cahill, and Ms. Warner.

ABSTAIN: None.

Motion Carries 5-2.

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Resolution 22-025, consenting to the annexation to the Village of West Jefferson, Ohio, certain territory proposed to be so annexed pursuant to an annexation petition filed with the Board of County Commissioners of Madison County, Ohio by Smith & Hale, LLC, agent for petitioner(s), as provided for in Ohio Revised Code Section 709.023.

President Conway invited discussion.

(Inaudible)

Jimmy John Hall said on February 21 Resolution 22-022 set forth the service, today Resolution 22-025 is consenting, and the next resolution will be after the County Commission action and 60 days later.

John Mitchell said consenting to the annexation simply means showing support for it. We are not accepting the annexation tonight.

(Inaudible; multiple conversations; some confusion about the language of consenting)

Glenn Duggar, introduced himself as attorney for the property.

(Inaudible)

Ms. Warner asked Glen Duggar what this language means.

Glenn Duggar said you are correct. I don't believe it's a requirement of the statute. The resolution approved two weeks ago on the 22 (sic) is a required statute, this is not. However, as I understand this, there is some County precedence to request this.

President Conway said if this is a step we usually don't do, then why are we doing it?

Jimmy John Hall said this is a step we usually do. It may not look the same but after we had the Annexation Work Shop, our Law Associates updated our templates. So, the first piece of legislation is the services resolution, then the consenting resolution, and then the accepting resolution.

Ms. Hall asked so why do we need a consenting resolution?

Mayor Martin said it shows the Commissioners the Village support.

President Conway said this appears to be how we are going forward.

Jimmy John Hall said the way it looks, once this process is cleaned up, appears to be five pieces of legislation, to be precise, pre-annexation (for the Commissioners to grant the petition), services (giving authorization to the Mayor and Public Service Director), consenting (showing the Commissioners agreement), accepting and an ordinance to set the zoning classification. After that, the developer will follow the process of site plan approve with Planning and Zoning, with a recommendation made to Council, with another pieces of legislation to accept final site plan approval. These steps are according the Codified Ordinances Chapters 1117.0 and 1125.02(g).

John Mitchell said what Jimmy said is correct but two of the steps are not required by the ORC, namely, pre-annexation and consenting. The pre-annexation is an agreement between the developer and the Village and consenting is also an agreement between the same.

Glenn Duggar said I agree with everything that has just been said. This piece of legislation is not required by the Ohio Revised Code 709 statute but it has become best practices in Ohio. These are a road map, although some details may differ municipality to municipality. The pre-annexation does say that you support the annexation.

Motion to Adopt Resolution 22-025 moved by Mr. Patterson and seconded by Mr. Wade.

VOTE YEA: Ms. Cahill, Mr. Conway, Mr. King, Mr. Patterson, and Mr. Wade.

VOTE NAY: 2; Ms. Hall, and Ms. Warner

ABSTAIN: None.

Motion Carries 5-2.

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Resolution 22-026, emergency authorization for the Public Service Director to purchase for the Waste Water Treatment Plant a new Day Tank, Pump and Controls for the generator and related equipment, not to exceed the amount of \$20,000.00.

President Conway invited discussion.

John Mitchell (inaudible; various comments about the Day Tank)

Mr. King asked what does 'hand mode' mean?

John Mitchell said it is on automatic now but will only last about 6 to 8 hours.

Motion to Adopt Resolution 22-026 moved by Ms. Hall and seconded by Ms. Warner.
VOTE YEA: Ms. Cahill, Mr. Conway, Ms. Hall, Mr. King, Mr. Patterson, Mr. Wade, and Ms. Warner.
VOTE NAY: None.
ABSTAIN: None.
Motion Carries 7-0.

Executive Session

Motion to Enter into Executive Session to Pending or imminent court action by Mr. Patterson and seconded by Ms. Cahill.
VOTE YEA: Ms. Cahill, Mr. Conway, Ms. Hall, Mr. King, Mr. Patterson, Mr. Wade, and Ms. Warner.
VOTE NAY: None.
ABSTAIN: None.
Motion Carries 7-0.

Motion to Come Out of Executive Session by Mr. Patterson and seconded by Mr. King.
VOTE YEA: Ms. Cahill, Mr. Conway, Ms. Hall, Mr. King, Mr. Patterson, Mr. Wade, and Ms. Warner.
VOTE NAY: None.
ABSTAIN: None.
Motion Carries 7-0.

Additional Business: None.

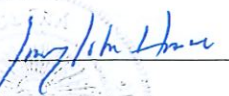
Pay the Bills:

Motion to Pay the Bills moved by Mr. Patterson and seconded by Mr. King.
VOICED VOTE AFFIRMED
Motion Carries 7-0.

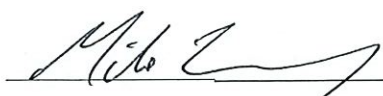
Motion to Approve "Then and Now" Certificates over \$3,000.00: None.

Adjourn:

Motion to Adjourn at 8:18 P.M. moved by Mr. Patterson and seconded by Mr. Wade until 7:00 P.M. March 21, 2022, Regular Meeting of Council.
VOICED VOTE AFFIRMED
Motion Carries 7-0.



Jimmy John Hall
Clerk of Council



Mike Conway
President of Council

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