

RECORD OF PROCEEDINGS

Minutes of

Council

Meeting

GRAPHIC VILLAGE - CINCINNATI, OH

Form 6101

Held

June 6, 2022

MINUTES

REGULAR MEETING OF COUNCIL

JUNE 6, 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.

Quorum Declare: 7 present, 0 absent.

Also attending were: Finance Director, Becky Arnott-Shiple; IT Manager, Mark Crosten; Chief of Police, Chris Floyd; Planning and Zoning Official, James Graham; Clerk of Council, Jimmy John Hall; Mayor, Ray Martin; and John Mitchell, Public Service Director.

Prayer: Rev. Jimmy John Hall

Almighty Heavenly Father, although many plot against you, your word, and your people, we are here tonight by your great grace and mercy in Jesus our Lord. We confess that apart from you we are estranged from your love and enemies of the gospel. However, we thank you that we are blessed for Christ's sake and forgiven by him. Therefore, help us tonight at this meeting to give a show of that gratitude with wisdom. In Jesus Christ name we pray. Amen.

Pledge of Allegiance: Richard 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. Patterson and seconded by Ms. Hall.

VOICED VOTE AFFIRMED

Motion Carries 7-0.

The Minutes:

Motion to Approve the Minutes of the May 16, 2022, Regular Meeting of Council moved by Ms. Wade and seconded by Mr. King.

VOICED VOTE AFFIRMED

Motion Carries 7-0.

Motion to Approve the Minutes of the May 17, 2022, Special Meeting of Council moved by Ms. Warner and seconded by Ms. Cahill.

VOICED VOTE AFFIRMED

Motion Carries 7-0.

Committee Reports:

Mr. King reported the Employee Benefits Committee will be meeting soon.

Department Reports:

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Report from Mayor:

Mayor Martin said there are a lot of things going on in the Village. First, Garrette Park is looking fantastic. The fence is up, the gravity pool is going in, and handicap parking spots are being designated. Second, we are looking into the 'traffic wraps' that Councilwomen Cahill previously suggested. Third, the Ohio Changers are coming to town. This is a religious youth group that does community projects. So, if you know of somebody who needs some weeding, deck work, or other labor done, then please let me know or Councilwoman Hall. Fourth, Medline gave the Village a large donation of medical wipes. We expect them all to be gone soon. Fifth, 'Lunch and Learn' started today with about 55 young people. Sixth, the traffic patterns have been a mystery but what did our 2020 Traffic Study reveal? During the afternoon there are 2 times the traffic builds up. The traffic on Taylor Blair comes to US 40, all of it, and qualifies for a traffic light. But at Inwood there are at least 5 other roads. So, the traffic study done for Inwood did not qualify for a light because there was not enough traffic. Consequently, we are going to wait until school starts with heavier traffic to see if ODOT will qualify a light for Inwood. West Jefferson is in good shape.

President Conway asked can we get local representation from the State to help us with the light at Inwood?

Mayor Martin said Bob Hackett might be able to help. I don't know if he has any influence over ODOT but we will try.

Mr. Mitchell said concerning the Taylor Blair Road, we get approval through the Transportation Approval District of Madison County. However, we were not close enough to the industrial park for approval. We were beyond the minimum distance of a mile. Hopefully, Inwood will be within that minimum distance of a mile.

President Conway said I am not talking about the funding ...

Mr. Mitchell said you have to go through the study which has warrant. If one does not meet the warrant, then there is no funding.

Mayor Martin said we understand peoples' frustration. We had to apply to two different grants. We need to do our due diligence to get the grants and off-set the cost to the Village. The project has been awarded at \$305,000.00. Mr. Mitchell will be having a construction meeting next week. However, we were warned that the \$30,000.00 poles that come from China could take 3 to 6 months to arrive.

Report from Director of Public Service:

Mr. Mitchell said they started the construction of the gravity rail at Garrette Park today. But the rain has caused a delay. The fence is up and we still have to design the archway. Second, the water tower work is starting this week. Third, there is a pre-construction meeting June 22, 2022. Then they can begin depending upon reception of materials. Fourth, we will be opening bids for construction in the Westchester sub division next week. Lastly, the tennis court asphalt is removed and then remove the basketball court. The new basketball court will be bigger by six feet on all sides with the addition of six baskets.

Mayor Martin said we are also talking about improving the alley at Garrette Park.

Report from Recreation and Special Events Manager: Reported by Mayor above.

Mr. Mitchell said June 10, 2022, is Friday Night Up Town with the Lee Gantt Band and a 1976 Elvis impersonator from 6-7 P.M. Also, there will be inflatable jump arounds for the kids and chalk drawing. Lastly, there will be food vendors too, namely, Fuller Flavor, Guelaguetza, and Rolling Oasis.

Mr. Wade asked if there will be any bands playing at the shelter house?

Mr. Mitchell said we have talked about this but would like to grow some grass.

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Report from Director of Finance:

Becky Arnott-Shipley said the May Financials will be in the next Council Packets. First, there were 229 revenue receipts for April for \$1,126,289.40. Also, there was 393 appropriations/payments for May for \$187,222.45. This amount does not include payroll. Second, Income Tax for April was up 11% and 8% for the year. As of Friday, we have collected \$3,080,688.14. Third, we had 96 receipts for revenue items over \$10,000.00 for \$266,741.68. Fourth, we had payment items over \$10,000.00 for Core & Main, Ag Pro Ohio, and Parr Safety for a total of \$50,737.84.

Report from Chief of Police:

Chief Floyd said since the recent Ulvade shooting in Texas, we have had every police officer possible at the school to give to the children, the parents, and the staff a sense of safety and the fact that we care. Secondly, since the last meeting we had an officer resign. Third, since last meeting we had 165 traffic stops and 133 citations. Fourthly, the Mayor received some inquires about our presence on Main Street. We are present on Main Street. You can see this with our 125 traffic stops made on Main Street.

Mr. Wade (inaudible)

Chief Floyd said when we look for a location for a street sign, we have to consider parking spots, other safety concerns, and a potential for speeding.

Ms. Hall asked what time of day are the police officers present on Main Street?

Chief Floyd said all day. During the heaviest traffic times they are present but it is difficult to get out. However, being present is a deterrent.

President Conway asked how is it developing with the bike patrol?

Chief Floyd said officers have graduated, the bikes are in the garage waiting for special events, and they will be out there starting in July.

President Conway asked will this only be special events?

Chief Floyd said it primarily depends upon manpower. For example, if we have a call for an officer, they might not be able to respond due to distance.

President Conway said the bike patrol would be good for the park in light of recent vandalism.

Report from Development Director: None.

Recognition of Clerk and Council: None.

Recognition of Guests:

President Conway said this time of public comment will be limited to 5 minutes per presentation or guest.

REDWOOD DISCUSSION

Heather Dougherty, Regional Ohio Scenic River Manager, and Julia Cummings, Madison Soil & Water Conservation District, made a presentation concerning the Redwood development (attached).

Mayor Martin asked is it true that Redwood does not plan on placing drains anywhere?

Mr. Todd Foley said we are not in final development at this time. What is being represented on that concept plan still needs a lot of work. We talked about this (affirmed from Ms. Dougherty).

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Mayor Martin said my point is that the EPA will not allow Redwood to have any more run off after the development.

(Inaudible comments)

Mayor Martin said my understanding is the run off will not be any larger. That's the law.

Mr. Foley said it will be better.

Ms. Dougherty said my understanding of the law is discharge cannot be higher pre or post development. However, over time there will be more run off because less water is seeping into the ground.

Mayor Martin said it can't be increase.

Ms. Dougherty said it's a plug protection rule. The peak amount released can't be higher. However, just below the peak level over time will be a lot. So, the actual volume of run off is increased. It's a steady longer rate and during dryer seasons there is less water. The reason volumes cannot be higher at peak after development is for flood protection.

Mayor Martin asked if the Developer has EPA permits yet?

Mr. Foley said we are not at that point yet. We are not in the jurisdiction of the Big Darby Accord and need to go before them (<https://bigdarbyaccord.org/jurisdictions>). But we are still required to meet certain condition for the water recharge. Through this process we will be providing documentation as to how we are meeting the requirements. We are re-working some of our plans to address some of these concerns.

Mayor Martin asked will the EPA provide a permit if they don't comply.

Mr. Foley said the EPA will not and we can't do what ever we want.

Ms. Dougherty said we are not saying they will not meet the requirements but asking them to consider how they are going to protect the land and use their resources. For example, the storm water ponds located on the slope could do better in a different location, keep the wood, and protect the slope.

Ms. Cahill asked how close is the development to the watershed?

Ms. Dougherty pointed out the location on the map. She said the way the sight drains it does so in the direction of the watershed.

Mr. Wade said is this presentation just guidelines for the developer?

Ms. Dougherty said the presentation is for recommendation. Also, there are not a lot of trees in Madison County. The Village can provide a buffer and help sink water into the ground.

Mayor Martin asked if the ODNR has discussed to un-ditch the ditch?

Ms. Dougherty said the ODNR would love to do a restoration project.

SKY RANCH DISCUSSION

Mr. Russ Miller said I would like to respond to the previous comments of ODNR. I've had some issues with ODNR. Years ago, when I purchased the property and both parties participating on the easement. However, they were supposed to pay me for the easement \$1.00 but never did. As the conservation easement proceeded, they claimed to have paid me by mail. Secondly, they were supposed to provide signage but to this day it does not exist. Thirdly, they are supposed to give me 60 days' notice before an inspection but to my knowledge there has never been an inspection. However, several months ago they wanted to come and inspect my property. I told them they do not have an easement and they replied they do have one. ODNR came anyway and told them do not come on to my property. The ODNR are not holding up their end of the

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deal. I asked them how to best develop part of my project, Sky Ranch, but have not received one response. I have no support from ODNR. They keep telling us that this river is at risk. Yet, we have studies that indicate the fish are at healthy levels. We have the right to gather fire wood on my easement. But ODNR claims I have a path to drive on and load up fire wood. Also, ODNR claims the easement does not permit me access to get down to the easement while acknowledging my right to the dead wood down there. I just don't get it. The change their minds and manipulate the way things are done. Be careful.

Old Business: None.

New Business:

First Reading of Ordinance 22-041, an Ordinance declaring the improvement of certain real property located at the Comet Processing Site in the Village of West Jefferson, Madison County, Ohio to be a public purpose ...

Mr. Mitchell said as was stated, this is a TIF, Tax Increment Financing, piece of legislation. The building is being constructed. This enables them to run natural gas to their building. There is a shortage of natural gas. However, just like Amazon, they are making provisions for natural gas.

(Inaudible 54:10)

Mr. Mitchell said they ran the natural gas line up US 40.

Mayor Martin said it is important to note that this is Ohio Pipeline not Columbia Gas doing this. Giving us another source of gas can solve a lot of problems.

Resolution 22-042, authorizing the Mayor and President of Council to enter into an agreement with representatives from West Jefferson Community Association and Christmas in the Park for the annual Ox Roast at Garrette Park, Frey Avenue Grounds.

Motion to Approve Resolution 22-042, moved by Mr. Patterson and seconded by Mr. Wade.

Deliberations: President Conway opened up Council deliberations.

President Conway said we want to do this to avoid more than one responsible party. So, we meet with the Community Association, they presented these changes, we made some changes, and everybody agreed. To prevent problems in the future, we thought the legislative route would be good for the future.

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

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

VOTE NAY: None.

ABSTAIN: 1 (one); Ms. Hall (church membership).

Motion Carries 6-0-1.

Resolution 22-043, authorizing the Village to donate \$5,000.00 to West Jefferson July 4th Street Fest, Inc.

Motion to Approve Resolution 22-043, moved by Mr. Patterson and seconded by Mr. King.

Deliberations: President Conway opened up Council deliberations.

Ms. Hall asked the Director of Finance how we should proceed in the future. For example, do organizations asking for donations need to provide a budget?

Ms. Shipley-Arnott said in the future when we consider our budget amount, we should ask for their financials and what percentage of their revenue the Village provides.

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Ms. Cahill asked when they first started this, they were asking about putting out display jars to donate money into at local business. Have they gone to anybody else in the community for donations?

Mayor Martin said they have provided a list of donors. At budget time we need to do our homework and ask these important questions.

Mr. Hall said Mr. Garver seems to have indicated that they are limited to the sources of donations by the government. Has anybody ever heard this before?

President Conway said isn't the Street Fest how they raise money? The cost of fireworks has gone up this year.

Ms. Cahill said since they are asking for \$5,000.00, are we to assume they have raised \$7,500.00?

President Conway said how much did we give last year?

Ms. Shipley-Arnott said we budget \$3,000.00 last year.

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: None.

Motion Carries 7-0.

Resolution 22-044, approving the application for the zoning request of Parcel #08-00582.000 as a PMU District.

Motion to Approve Resolution 22-044, moved by Ms. Hall and seconded by Mr. King.

Deliberations: President Conway opened up Council deliberations.

President Conway asked the Clerk of Council to explain this process.

Mr. Hall said in a previous meeting the wrong word was used to describe what we are doing. We are actually in the process of clarifying the process. First, in the process we are having a meeting June 20, 2022 to accept the annexation and an ordinance setting the zoning classification. There will be a first and second reading. So, the second reading for the ordinance will be July 5, 2022. Second, we are at the process of the application according to Section 1126.04. This action is not zoning or approving of a site plan. It has one subject, the application, and the procedure requires preliminary plans or narrative submit as part of the application. Third, upon approval of the application, Council will recommend the application back to Planning and Zoning for the Final Development Plan and Council will finish the other pieces of legislation.

Mayor Martin asked if the preliminary site plan is part of this legislation. Correct?

Mr. Hall said when you look at the recommendation from Building and Zoning it says, "Recommend approval of the proposed preliminary site plan and zoning request for a Planned Mixed-Use District." That is not the wording in the Codified Ordinances. This action is actually, according to the Codified Ordinances, the approval of the application and the application happens to contain the site plans.

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: None.

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Motion Carries 7-0.

Resolution 22-045, authorizing the Public Service Director to purchase a vehicle with trade in from Marysville Honda for an amount not to exceed \$40,000.00.

Motion to Approve Resolution 22-045, moved by Ms. Hall and seconded by Ms. Warner.

Deliberations: President Conway opened up Council deliberations.

Mr. Mitchell said older vehicle has out lasted its breaks, shocks, and engine. We have constant trouble with the old vehicle. It just returned from the shop with \$4,500.00 worth of repairs. The new Honda is a good trad in. The trade in value is about \$3,000.00. If we need to off road, then that is available too.

President Conway said it is important to note that Mr. Mitchell has budgeted his department well. Also, since the money is available in his budget, we do not need a supplemental appropriation.

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: None.

Motion Carries 7-0.

Reach Alert.

Mr. Hall said REACH Alert works in conjunction with hundreds of cities and towns across Kentucky, Indiana, Tennessee, Ohio and South Carolina to provide our alert and notification service. REACH Alert is an alert and notification service that allows you to type a single message for your entire community and we will deliver it as a text message, voice call, and/or an email within seconds. Messages can be sent community-wide, to specific streets, and even to individual addresses. Also, REACH alert has a three-tiered pricing for the number of households.

Ms. Cahill said the information I get already from the Village is really good. I get everything immediately.

Mr. Mitchell said we should promote our own app before we use another service.

(Inaudible 1:16.26)

(The unanimous consent of Council was to continue to use what is currently in place by the Council and Mayor.)

Devices for Council.

Mr. Crosten said I have been working on providing devices for Council. I've spent some time on demo devices and am ready to give my advice and answer any questions. This also allows Council to go paperless in the future with a common platform from which to work. Finalized pricing for devices for Council:

- Surface Pro 8 with Type Cover:
- \$1174 each Microsoft 365 G3 software:
- \$400 each/year

Ms. Cahill said a lot of preparations go into preparing the packets for Council which includes using the police to deliver them to our homes. We use a lot of resources to accomplish this important business. This would be more efficient and reduce our expense for paper.

President Conway asked if the Council Budget can sustain this expense?

Ms. Shipley-Arnott said there is about \$4,000.00 in the Council Budget and \$15,000.00 for the Village concerning computer replacement. If we use the Village computer replacement money,

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then we will not have any for an emergency. But the devices for Council looks to be about \$20,000.00.

Ms. Warner asked about the price.

Mr. Crosten said it is \$1174 for each device. We started out with a high-end device and worked our way down.

Mayor Martin asked does the price include covers?

Mr. Crosten said I did not include those additions.

Mr. Hall said is the license \$400.00 each year per device?

Mr. Crosten said the license follows the device.

President Conway asked do we have a final number? The number we have is 10. The next step is to discuss this with the Finance Committee.

Mr. Crosten said Mr. Wade you have asked about the electronic sign status. Mr. Kessler said it is scheduled for after July 4.

Additional Business: None.

Pay the Bills:

Motion to Pay the Bills moved by Ms. Hall and seconded by Mr. Patterson.

VOICED VOTE AFFIRMED

Motion Carries 7-0.

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

Adjourn:

Motion to Adjourn at 8:26 P.M. moved by Mr. Patterson and seconded by Ms. Cahill until 7:00 P.M. June 20, 2022, Regular Meeting of Council.

VOICED VOTE AFFIRMED

Motion Carries 7-0.

Handwritten signature of Jimmy John Hall

Jimmy John Hall
Clerk of Council

Handwritten signature of Mike Conway

Mike Conway
President of Council

Sustaining the Darby

Julia Cumming

Madison Soil & Water
Conservation District

Heather Doherty

Regional Ohio Scenic
River Manager

June 6, 2022

Principles and Beliefs

- Our principle is to support wise land use
- Wise land use is the sustainable use of our natural resources
- A better world for our community today and for future generations



Purpose

- Share reasons why protecting woodlands, wetlands and steep slopes in urban development are necessary to sustain the Darby
- Discuss West Jefferson's woodland zoning code
- Make specific recommendations for changes in the Redwood design concept that conflict with the intent of the zoning
- Hear feedback on these recommendations

A river at risk

- When communities grow, changes are dramatic for rivers
- Rainwater that once soaked into the ground, runs off
- Runoff carries pollutants, changes hydrology, and degrades the creek



Communities can sustain the Darby Creek by protecting environmentally sensitive areas during development:


- Woodlands
- Steep slopes
- Wetlands



Protecting woodlands

- Provide landscape diversity (Madison County < 8% trees)
- Woods protect water quality, absorb runoff and provide recreational opportunities
- Replacement trees will not provide the same level of services



An aerial photograph of a steep, hilly landscape. The terrain is rugged and rocky, with a road winding through a valley. The hills are covered in sparse vegetation, and the overall color palette is dominated by earthy tones like yellow, brown, and grey. A large white circle is overlaid on the top left of the image, containing text and a list.

Avoiding Steep Slopes

- Hilly areas are expensive to develop
- Risk of landslides and erosion

Keeping buffers next to wetlands



- Removing woodlands next to wetlands will likely result in loss of amphibians
- Grading slopes will likely disrupt surface and ground water flow into the wetland and deposit sediment during the construction process.



Woodland zoning code prevents poorly planned development

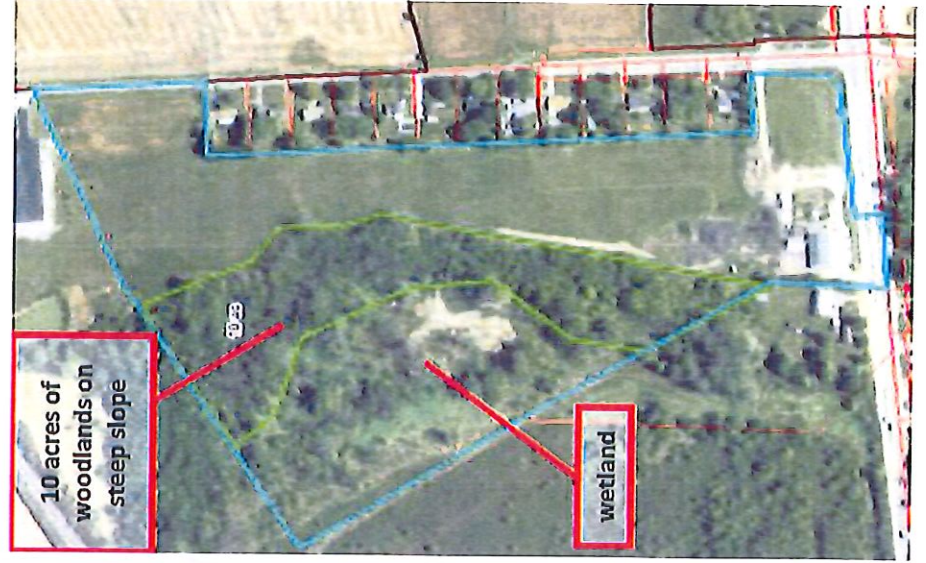
- Recognizes that woods provides the community with a rich environment, watershed protection, soil protection, wildlife habitat, pollution purification, and pure oxygen.
- Permitted uses that protect the character of woodlands include:
 - Single-family 1 acre lots with no-build zones (60%)
 - Parks, open space and nature areas
 - Agricultural pursuits that don't remove tree cover
- Planned developments which require approval should also be required to protect the character and purpose of woodlands

Redwood design concept
disturbs environmentally
sensitive areas

Removes
woodland

Impacts
steep slope

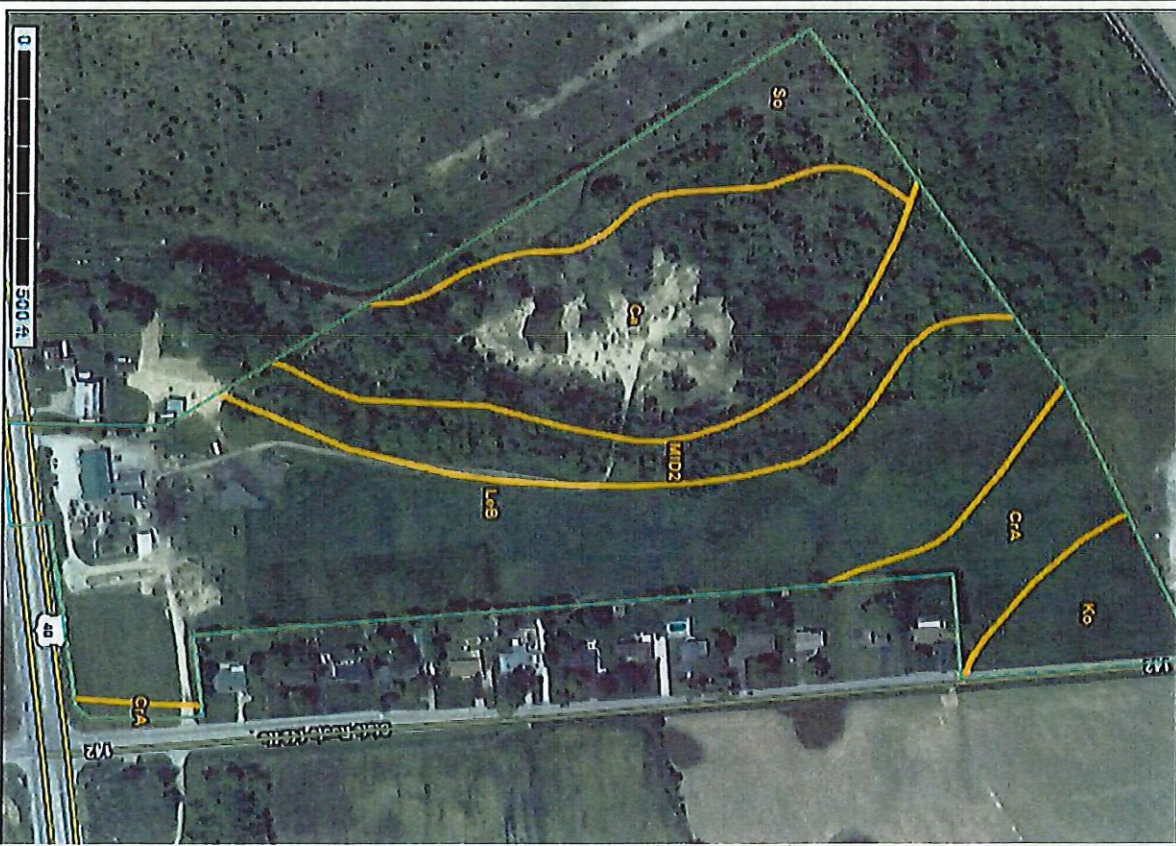
Removes
wetland
buffer



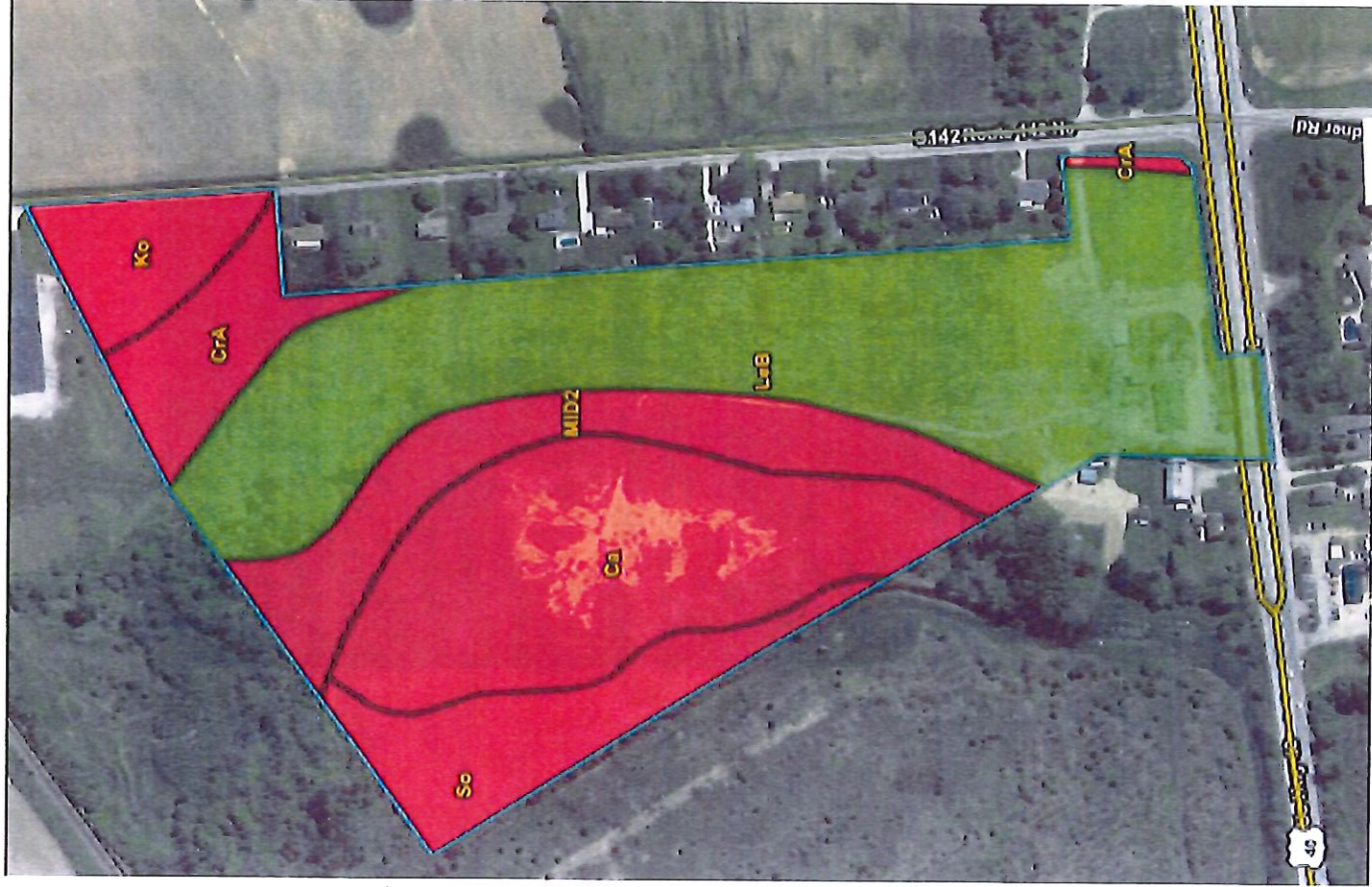
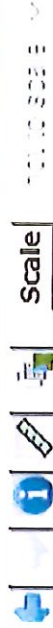
Soil Types

Madison County, Ohio (OH097) 

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Ca	Carlisle muck	10.4	24.0%
CrA	Crosby silt loam, Southern Ohio Till Plain, 0 to 2 percent slopes	2.8	6.4%
Ko	Kokomo silty clay loam, 0 to 2 percent slopes	2.2	5.1%
LeB	Lewisburg-Celina silt loams, 2 to 6 percent slopes	18.5	42.6%
MID2	Miamian silt loam, 12 to 18 percent slopes, eroded	5.5	12.7%
So	Sloan silty clay loam, frequently flooded	4.0	9.1%
Totals for Area of Interest		43.5	100.0%



Without Basements (OH)



Green is unlimited for development

- LeB-Lewisburg-Celina silt loam
2-6% slope
- Rated “Not limited” for dwellings
without basements

Red is very limited

- MID2-Miamian Silt Loam, 12-18%
- Rated “very limited” for dwellings
without basements due to slope
and depth to saturated zone



Suitable stormwater retention areas in yellow

- Retention areas are proposed in MID2-Miamian Silt Loam, 12-18%
- Rated “very limited” for retention systems due to slope and vegetation establishment
- Other soil types are rated “somewhat limited” because soil wetness interferes with installation.

Recommendations



Redwood design concept

- Preserve woods and steep slopes
- Require any stormwater ponds to be located in “somewhat limited” soils
 - This is an environmentally sensitive site
 - Woods cannot be removed without serious consequences to the Darby and wetlands
- Replacement trees will not provide the same level of services