

RECORD OF PROCEEDINGS

Minutes of

Council

Meeting

GRAPHIC VILLAGE - CINCINNATI, OH

Form 6101

Held

21 February 2023

MINUTES

REGULAR MEETING OF COUNCIL

21 FEBRUARY 2023

Called to Order:

President Linda Hall called the Village of West Jefferson Council Meeting to Order at 7:00 P.M.

Roll Call:

Council Members: Sam Cahill, Mike Conway, Linda Hall, Jeff Patterson, Howard Wade, and Jennifer Warner.

Quorum Declare: 6 present, 0 absent.

Also attending were: Rebecca Arnott-Shiple, Director of Finance; Mark Crosten, Director of Information Technology; Brandon Smith, Acting Chief of Police; Tom Hale, Director of Development; Jimmy John Hall, Clerk of Council; and Shelton Stanley, Recreation and Special Events Manager.

Motion to Excuse Richard King by Ms. Warner and seconded by Ms. Cahill.

VOICED VOTE CARRIED.

Prayer: Mr. Wade

Our dear Heavenly Father, thank you for allowing us to continue to do the business of the Village. Please be with those who could not be here and bless our meeting. In Jesus name we pray. Amen.

Pledge: Ms. Cahill.

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.

Agenda:

Motion to Adopt the Agenda as Changed moved by Ms. Warner and seconded by Ms. Cahill.

VOTE YEA: Cahill, Conway, L. Hall, Patterson, Wade, and Warner.
VOTE NAY: None.
ABSTAIN: None.

Motion Carries 6/0/0

Minutes:

Motion to Approve the Minutes of the 6 February 2023 Regular Meeting of Council moved by Mr. Wade and seconded by Mr. Patterson.

VOTE YEA: Cahill, Conway, L. Hall, Patterson, Wade, and Warner.
VOTE NAY: None.
ABSTAIN: None.

Motion Carries 6/0/0

Recognition of Guests:

Mr. Vince Crawford presented a power point from WM (Waste Management).

Mr. Crawford explained last year there was a meeting held between the Mayor's office and Waste Management. At this meeting several things were discussed, namely, (1) Waste Managements branded name - WM, (2) recycled materials, (3) WM's natural gas trucks vs. diesel trucks, (4) the land fill liner, preservation, and WM's capture and utilization of methane gas, and (5) recognized as an ethical company and best place to work. WM has good jobs. WM is striving to always to provide better and better services. For example, WM is constantly improving the automated trash arm and training employees. Additionally, WM and the Village developed a tracking sheet of customer service issues.

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*Lastly, WM is involved in community events as WM is already part of your community. For example, participation in 'Lunch and Learn.'*

*Please note: don't put recyclables in a plastic bag. Just place them in the bin as is. Also, yard waste does not go in the trash.*

*President L. Hall asked about bulk pick-ups.*

*Mr. Crawford responded that involves a different truck and can be requested.*

*President L. Hall asked Mr. Crawford to describe the land fill in more detail.*

*Mr. Crawford responded the land fill, first has a layer of 2 feet of clay, then a very thick of neoprene like rubber, and, lastly, there are pumps that remove water to a waste water plant.*

*Mayor Martin asked about the largest complaints are trash left on the streets and driver error. What's being done about these complaints?*

*Mr. Crawford responded please let WM know if there is trash on the street.*

*Ms. Cahill asked if drivers are required to pick up trash due to windy days?*

*Mr. Crawford responded the situation is unfortunate and the industry has to improve or change the equipment. We can not prevent windy days and consequences. The process is not perfect. But if the driver makes a mistake with the automated arm, then the drivers should pick up the trash; however, when the wind blows 45 mph, the driver can't chase every piece.*

*(Inaudible 24:16)*

*Ms. Cahill asked Mayor Martin if there is anything drivers can do to address trash in the streets?*

*Mayor Martin responded he has witnessed some drivers stop and pick-up trash in the streets. Those drivers need to be commended.*

*Ms. Cahill asked if Ohio is a state that recycles?*

*Mr. Crawford responded Ohio recycles paper up near Lima, OH, and recycles plastics in the Columbus area.*

**Old Business:** None.

**New Business:** (\*indicates an emergency requested)

- A. RESOLUTION 23-019, TO APPROVE THE SITE DEVELOPMENT PLAN CONCERNING WEST JEFFERSON ESTATES LLC, RECOMMENDED BY THE PLANNING AND ZONING COMMISSION ON 8 FEBRUARY 2023.**

**Reading of Resolution 23-019, as above.**

**Motion to Approve Resolution 23-019, moved by Ms. Warner and seconded by Ms. Cahill.**

**Deliberations:** President L. Hall opened up Council deliberations.

*Mr. Hale explained the site development plan concerning concrete sidewalks. There was a variance request to eliminate sidewalks. That request was denied.*

*Ms. Warner asked the property representative how many totally units are planned?*

*Mr. Dmitry Chmil, the Representative of West Jefferson Estates LLC, explained about 120 total units are planned.*

*Ms. Cahill asked the reason for the variance request concerning sidewalks.*

*Mr. Chmil responded the development like the nearby development's lack of sidewalks and wanted to match that look.*

*Mr. Wade asked if this was an ADA requirement?*

*Mr. Chmil responded we were just looking next door and the wide streets.*

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Mayor Martin responded we are not dealing with a variance request tonight but the site development plan.

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

VOTE YEA: Cahill, Conway, L. Hall, Patterson, Wade, and Warner.  
VOTE NAY: None.  
ABSTAIN: None.

Motion Carries 6/0/0

**B. Public Hearing: Fisher Cast Steel.**

President L. Hall opened the Public Hearing at 7:33 P.M.

Deliberations: President L. Hall opened up Public Hearing deliberations.

Mr. Hale read for Council the Commission Report and the Fisher Cast Steel parcel was displayed on the projector screen from Madison County Auditor's website. As this recommendation was considered, the Commission determined several issues, namely, a code violation with the lot lines, and the required setbacks. The Commission did provide the variance and recommended the combination of the two parcels in question.

Ms. Cahill asked if the current building is being added to? Also, are there any toppers to help with dust, which is a problem on the street. Lastly, are there any new chemical processes?

Mr. Jay Harmeyer representing Fisher Cast Steel, responded there are no toppers and no new chemical processes. This will help our trucks turn around easier. This will help products cool off.

(Inaudible 43:38)

Mr. Wade asked if the variance is encroaching on another piece of property?

Mr. Hale responded the variance effects the setbacks required only on this property.

Ms. Warner asked the setback requirement.

Mr. Hale responded the setback required is 50 feet but the variance is for 20 feet. The structure predates the district changes. The variances seek to maintain the same non-conforming features.

Mr. Aaron Davis was given the privilege to speak against the recommendation.

Mr. Davis explained some of the issues he has with Fisher Cast Steel. Several years ago, Fisher Cast Steel built new buildings but have not finished the landscaping. If they have not finished one project, why are they building more. Additionally, there dumpster is a problem. All the trash blows around and litters over the neighborhood. Also, the fork lifts are noisy, banging around their load.

Mr. Harmeyer, responded to Mr. Davis. Fisher Cast Steel is aware of the dumpster issues. Mr. Harmeyer offered to walk the property to learn more about Mr. Davis's concerns and help address them.

Mayor Martin asked if there are fork lifts driving around at night.

Mr. Harmeyer, responded there are no fork lifts driving around at night but they start at 4:00 A.M.

Ms. Cahill pointed out the fork lifts also have back up signals.

Ms. L. Hall asked if there is anything that can be done about the noise?

Mr. Harmeyer, responded Fisher Cast Steel is trying to be a good neighbor. People do pick up metal piece, trash, and so on. Concerning the noise, we don't pour at night like we used to and pour during the day. We can also try to change the start time from 4:00 A.M. to 6:00 A.M.

(Inaudible 51:45)

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Mr. Hale explained prior to his hiring, these concerns were brought to the attention of the Commission but none of the concerns appear to have been addressed. As a result, Mr. Davis and Mr. Harmeyer have agreed to sit down and discuss these issues and look for solutions. This agreement was just made last week. So, we need some time to work on this.

Mr. Tom Hocman added at his property the previous three tenants complained about the noise. The noise seems to be getting latter. The machine kicks on and off all day. The air smells. The fork lifts make a lot of noise. The concern is being able to rent the property. As the factory grows, the real-estate values go down.

Ms. Cahill pointed out she has reports about the air quality. Although it might smell, it is not harmful.

(Inaudible 101; attendees not using the mic and many interruptions)

Mr. Conway responded his desire to make a Tabling Motion until these two parties are able to work these issues out.

Ms. Cahill pointed out the issues discussed have nothing to do with the new building. We should move forward with a motion and support the legislation.

President L. Hall also pointed out a desire to table.

Deliberations: President L. Hall closed Public Hearing deliberations.

President L. Hall closed the Public Hearing at 8:03 P.M.

C. RESOLUTION 23-020, TO APPROVE THE FINAL DEVELOPMENT PLAN CONCERNING FISHER CAST STEEL, RECOMMENDED BY THE PLANNING AND ZONING COMMISSION ON 7 DECEMBER 2022.

Reading of Resolution 23-020, as above.

Motion to Table Resolution 23-020, moved by Mr. Conway and seconded by Mr. Wade.

VOTE YEA: Conway, L. Hall, and Wade.
VOTE NAY: Cahill, Patterson, and Warner
ABSTAIN: None.

Motion Fails 3/3/0

Motion to Adopt Resolution 23-020, moved by Ms. Warner and seconded by Ms. Cahill.

Deliberations: President L. Hall opened up Council deliberations.

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

VOTE YEA: Cahill, and Warner.
VOTE NAY: Conway, L. Hall, Patterson, and Wade.
ABSTAIN: None.

Motion Fails 2/4/0

Recommendation is not Overruled and also Not Accepted.

Codified Ordinances 1105.11, "The Council may overrule the recommendations of the Commission by three-fourths (3/4) vote of the full membership of the Council." (Ord. 03-022. Passed 4-21-03.)

Committee Reports: None.

Department Reports:

Mayor -

Mayor Martin reported several items. First, the traffic study is finished and being reviewed. Second, due to damage done, the park is closed. Somebody damaged slide with a large rock. Third, the lift chair is currently under review for a grant to cover the replacement cost. Most grants are rewarded

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before the work is done. Fourth, the issues concerning the railroad trussells has been given to US Senator Mike Carey. Recently a district director and representative meet with the Mayor to discuss this matter. They are looking into the trussells. Lastly, the senior center has organized new leadership. We are excited to see the direction they will take.

Director of Public Service – absent.

Recreation and Special Events Manager –

(Inaudible 1:23; talking too fast, cross-talk)

Director of Finance –

Ms. Arnott-Shipley reported, first, we are working on the 2022 financials. The financials must be in to the Auditor of State by next Tuesday. After this is finished, we will assist the Tax Department. Second, Tax Season is upon us. We are getting busy and processing refunds. As of 14 February 2023, we have processed 67 refunds for \$52,490.18. Third, revenue items over \$10,000.00 are: (1) Battelle, Lunch and Learn Grant, for \$18,000.00, and (2) North Forest, various Redwood permits, for \$35,681.26. Total receipts since the last meeting are \$458,848.20. Lastly, there were payment items over \$10,000.00, which are: (1) Peterson Construction for \$78,308.00, (2) Choice One for \$37,558.72, (3) Hillard Lawn & Garden for \$16,078.00, and (4) MNJ Technologies for \$10,538.00. In all, there were 312 payments for a total of \$258,955.74.

Chief of Police –

Acting Chief Smith reported the new officers are doing good on training. Next, the simulator is up and running. Lastly, there were 92 traffic stops and 50 were on Main Street. The department morale is going well.

Mr. Conway asked if the Acting Chief of Police is keeping up with the Lexipol updates.

Acting Chief Smith reported there are a lot of updates to perform and this is being kept up too.

Director of Development –

Mr. Hale reported in January we processed 124 permits county wide.

(Inaudible 1:32)

Director of Information Technology –

Mr. Crosten expressed things are proceeding.

Recognition of Clerk and Council:

Mr. J. Hall explained three things, namely, Fisher Cast Steel upcoming recommendation, Casto annexation, and vacation. We will announce the upcoming Public Hearing dates on the website and in the Madison Messenger.

Mr. Wade asked the Mayor about the meeting with the Senior Center.

Mayor Martin responded the Senior Center cannot rent the facility as it is a conflict of interest.

Additional Business: None.

Pay the Bills:

Motion to Pay the Bills moved by Ms. Warner and seconded by Ms. Cahill.

VOTE YEA: Cahill, Conway, L. Hall, Patterson, Wade, and Warner.
VOTE NAY: None.
ABSTAIN: None.

Motion Carries 6/0/0

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

Adjourn:

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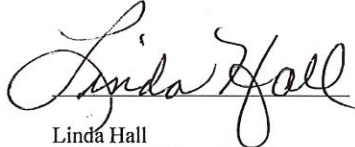
**Motion to Adjourn at 8:36 P.M. moved by Mr. Patterson and seconded by Ms. Cahill.**

VOTE YEA:        Voiced Vote.  
VOTE NAY:        None.  
ABSTAIN:         None.

**Motion Carries 6/0/0**



Jimmy John Hall  
Clerk of Council



Linda Hall  
President of Council

Working the 2022 Financials -- must be in to the Auditor of State by next Tuesday.  
 Get that completed and then start assisting in the Tax Dept.

Tax Season is upon us. Getting busy and processing refunds  
 Refunds -- 2/14/23 processed 67 refunds for \$52,490.18

Since the last:

**Revenue Items (over \$10,000 other than Water, Tax & Regularly Recd Items)**

2/17/2023	Battelle	Lunch & Learn Grant	\$ 18,000.00
2/17/2023	North Forest	Various Redwood Permits	\$ 35,681.26
		Total Receipts since last meeting	\$ 458,848.20

**Payment Items (over \$10,000 other than reoccurring expenses - non Payroll)**

2/9/2023	Peterson Construction	Pump	\$ 78,308.00
2/9/2023	Choice One	Engineering Services	\$ 37,558.72
2/17/2023	Hilliard Lawn & Garden	Mower	\$ 16,078.00
2/17/2023	MNJ Technologies	IT Software/Hardware	\$ 10,538.00

312 Payments for \$258,955.74

