

# RECORD OF PROCEEDINGS

Minutes of the Regular Meeting of Council

Held on March 18<sup>th</sup> 2024



## VILLAGE OF WEST JEFFERSON COUNCIL

### MINUTES

**March 18th, 2024**

**Council Members:** President Jen Warner, Vice President, Linda Hall, Erica Bogner, Samantha Cahill, Jimmy Little, Jeff Patterson & Howard Wade  
**Mayor:** Ray Martin

### CALL TO ORDER

President Jennifer Warner called the Village of West Jefferson Council Meeting to Order at 7:00 p.m.

·Roll Call.

Council Members in attendance: Erica Bogner, Samantha Cahill, Linda Hall, Jimmy Little, Jeff Patterson, and Jen Warner. **Quorum Declare: 6 present, 1 absent.**

President Jen Warner asked for a motion to excuse Howard Wade from the Council meeting. Moved by Linda Hall and seconded by Samantha Cahill.

### PRAYER & PLEDGE

#### APPROVAL OF AGENDA AND MINUTES:

**Motion to Adopt the Agenda** Moved by Erica Bogner and seconded by Jeff Patterson.

·All in Favor

**Motion to Approve the Minutes of the March 4th, 2023, Regular Meeting of Council.** Moved by Jimmy Little and seconded by Linda Hall.

·All in Favor

#### RECOGNITION OF GUESTS:

Mayor Ray Martin and Chief Brandon Smith invited Officer Derrick Youngblood and his family up to receive his Oath of Office. Officer Youngblood is our newest Officer and part of our Community. Chief Smith introduced Officer Youngblood and stated that he is currently in his first few weeks of training and doing great. Officer Youngblood is joining us from the Richland County Sheriff's Office in South Carolina.

Next to the podium was the Municipal representative for Rumpke Waste & Recycling, Jacob Effron. He wanted to share information with Council about 2 items. First being the announcement of Rumpke's new recycling facility in July. The facility is proposed to be North America's largest and most technologically advanced facility. It is a \$170 million, privately funded facility which will be a 223,000 sq ft building and be able to process up to 250,000 tons of recycling materials. There were handouts given to the Council members on what recycling materials can be accepted. One of the questions that he has been asked at other meetings is when we can recycle our blueberry and strawberry containers because they have the recycling logo but because of the material most facilities cannot take them. With this new recycling



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center, there will be new optical scanners that with using AI (artificial intelligence) to tell the scanners specifically what to pick up. This was not able to be done in the past. They call this "diving deeper into the screen" being able to recognize more materials to be recycled. Currently most facilities can recycle about 87% percent of what is brought to them. With the new facility, they are looking to be 98% recycled. They are excited about teaming with COSI And The Ohio State University to introduce a state-of-the-art learning center that school children can come to learn from at the facility.

Mr. Heffron also wanted to discuss our upcoming contract. Mr. Heffron sat in the Public Service Committee meeting prior to the Council meeting and heard mention that West Jeff reviewed the bid that was given to the City of Marysville by competitors to Waste Management and that the bid by Rumpke came in higher. Mr. Heffron clarified that the reason the bid was higher in Marysville was due to the bid stipulation which requires that you take the recycling to their facility and not the recycling companies' facility. If they could have brought the recycling to their facility, they could have been much more competitive in the bid. He mentioned that on our Village website it states that we currently have service on Mon & Tues and that we have 1 bulk pick-up per month on the first Monday of the month. He asked of Council, if you had a blank sheet and could ask if there was anything about your current service that you would change moving forward what would it be? Council member Erica Bogner spoke up and stated that the biggest thing that she has heard about being an issue from the residents is bulk pick up and yard waste. Director Mitchell stated that yard waste is done weekly through the Public Service Department. Mr. Heffron stated that with Rumpke, residents would have weekly recycling and they would be able to call 24-48 hours in advance, they could call in 1 bulk pick up. They currently provide service to surrounding areas so West Jefferson would be a good fit for them. In closing he stated that if the Village would decide to put the bid out, he feels that Rumpke would be able to provide high service at a competitive rate.

### **OLD BUSINESS:**

None.

### **NEW BUSINESS:**

At this time President Jen Warner entered into a Public Hearing at 7:13 p.m.

The Public Hearing was to discuss a preliminary and final development plan for a proposed Circle K gasoline and convenience store. Council Clerk, Tisha Edwards was asked to review the conduct rules with the audience and to remind them that the meeting was being recorded and if they were to take the podium, they would be sworn in by the President before speaking. Each person would be given 3 minutes to speak unless they has asked for more time prior to the meeting. At this time, no one had reached out for additional time prior.

The President called for Tom Hart the representative for the Developer to come to the podium. Mr. Hart was asked his name, address and was sworn in. Materials were passed out to the Council members to review in regard to the Circle K preliminary and final development plan with site updates from the last meeting. Isai "Jesse" Delarca was introduced as the Civil Engineer on the project. Mr. Delarca was asked his name and address and was sworn in as well. This plan was updated after meeting with Council last year where the plan was failed 2 to 5 on November 6<sup>th</sup>, 2023. On January 10<sup>th</sup>, 2024 Circle K resubmitted their plan to Planning & Zoning where it was approved in order to recommend it to Council. The difference between the two plans were reviewed. He mentioned that this site for a gas station is unique because it is almost 50% greenspace.



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- 1.) Privacy fence height was 6 ft and is now 8ft tall. The length was changed to 347 ft extending from the McAninch driveway past the pool to the west.
- 2.) A double row of arbors was added with a 6ft height at installation with the trees growing at 3-5 ft per year before reaching maturity. Previously there was no height commitment. This was added to screen the pool and the house.
- 3.) The proposed setback was moved from 39.92 feet previously to 50 feet at a minimum to the neighboring residential area.
- 4.) The store sign was reduced from a 20 ft sign at the front corner of the property to a 5 ft monument sign.

Mr. Hart wanted to point out zoning rules and the changes that were made to the previous plan:

- 1.) Normally 80% is allowed for the actual buildings and they reduced the plan to:
  - a) Lot coverage and building canopy 7.82%
  - b) Lot coverage impervious surface to 42.51% with total lot coverage of 50.33%
  - c) Nearly 50% green area
- 2.) The proposed building was 5,000 sq ft and now is 3,962 sq ft
- 3.) 15' building side yards and 20' building rear yards were the allowed and they did a 50' building setback for the residential border on the west side yard.

This site was previously zoned for a gas station with the County before it was annexed by the Village in 2008-2009. That proposal had 20 pumps, a separate convenience store and car wash. The retention basin would have been a parking lot or the car wash.

Mayor Martin asked Mr. Hart if he had met with the McAninch family. Mr. Hart said yes, they had met with Dave on a very cold day, January 15<sup>th</sup>, and he would not forget it. He understands he reserves the right to oppose but he wanted to show that in good faith they will work hard with them to have open dialogue. The Mayor wanted to say thank you because at that past meeting it was noted that the developer had spoken with the family and that was not the case and for the changes that they have made.

The President called the first resident/non-resident that requested to speak, Linda O'Reilly. Mrs. O'Reilly was asked her name and address and was sworn in. Mrs. O'Reilly mentioned that the traffic study had not been mentioned and she said that the lighting and noise at night is a concern. We already have 3 gas stations and several convenience stores, so she doesn't understand the need for another. The property could hold a drugstore or restaurant or something other than a gas station. She is hoping the lightning is faced downward and not out.

The next resident/non-resident to speak was David McAninch. Mr. McAninch gave his name and address and was sworn in. He did want to acknowledge that Circle K had met with him and went over the requested changes, but he did want to state that he told them he would never in a public meeting state that he was for a 24-hour gas station by his home. The property is very oddly shaped, and he stated that it was like trying to fit 10 lbs. of sugar into a 5 lb. bag. Anyone going west on Rt. 40 will have to turn onto Plain City Georgesville Rd in order to enter the station which is a tenth of a mile from a shared driveway. Fuel trucks will have to enter and leave from that entrance and that is a concern. Another point that a Council member brought up at a previous meeting was the way that the current Circle K ran their store. It was very dirty and a lot of times the equipment is broken. He is concerned that even though it is a new building, things will be maintained in the future. There have been many accidents at this intersection, and this is a huge concern with adding traffic and large fuel trucks entering and leaving the facility.



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Council member Samantha Cahill asked Mr. Hart if this new facility will be corporately owned or franchised. The new store will be a corporate store. He did state that he understood Mr. McNinch's concerns. The Clerk requested permission to speak and stated that this question had been asked and she received notice that this will be a corporate store and not a franchise. (an email dated 2/12/2024 that representative Bret Lamb confirmed this information).

The next and last resident/non-resident to speak was Paul Casa. Mr. Casa confirmed his name, address and was sworn in. Mr. Casa stated that he came ill prepared due to recently being involved with the tornado that hit the area in the past few weeks, but he was at the last meeting and stated that the traffic study was his concern. He stated if this had not been done, he believes that is incorrect. He does not understand why a 24-hour facility is being placed there. He believes the lighting and everything is just bad. He is not against development at all but since there are residents there, only two lanes to work with and a median he believes will be a cluster. He is not for it at all.

President Warner asked if there was anyone else that would like to speak and no one else came to the podium.

Mr. Hart stated in response that Circle K could have chosen to use the space they are putting on the detention pond as parking or a car wash, but they chose to keep it green space due to the layout and previous request to do so. The TIS findings that right in, right out was required and additional lanes were not required on Plain City Georgesville Rd. The study that was done in 2009 was projected until 2029. They have asked Mr. Mitchell has asked the developer to update the numbers. The count was down in 2020 with the pandemic but has raised some since. This town is growing and there is more traffic like other places around. The numbers are still current. Everyone should keep in mind that zoning and plan approvals are separate regulation from traffic regulation. They are done through ODOT and the Village Engineer. If the traffic numbers were to change and they need to make changes they are held to the law to make the necessary changes by law.

The lighting is required by code to be downcast and is not facing Rt 40 or any resident homes. With noise concerns they are providing necessary sound mitigation to the area. He does not believe that this gas station will bring significant sound issues to the area. This will be a more modern station that provides updated pumps and new technology that exists at some of our other stations in the Village. They will provide food options at the store as well. Handouts were passed out to Council to show the food options. These options consisted of hot sandwiches, burgers, hot dogs, breakfast items, pizza, deli sandwiches, and bakery items.

Council member Erica Bogner asked if they had considered not being open 24 hours at all due to crime in that location in the proximity to the freeway and if there would be 1 clerk or 2 clerks at all times. Mr. Hart stated that he was unsure but would ask. He stated that he would ask this to the Chief but with East and West patrol this may be a logical place for night patrol to turn around and check to make sure everything is ok. His comment was there is nothing more secure in a dark area than a human body with a cell phone which is more secure than the area is now since it is mostly pitch dark. Mayor Martin did state that he did check, there will not be an extra liquor control license added that the existing Circle K's license will simply transfer to the new location when it closes.

President Jen Warner closed the Public meeting at 7:46 p.m.

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**A. RESOLUTION 24-018**, 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 postpone Resolution 24-018 to the next regular meeting of Council allowing full membership to participate.** Moved by Samantha Cahill and seconded by Jimmy Little.

**Deliberations began. "Any questions or comments?"** It was stated this would occur at the next meeting of Council on April 1<sup>st</sup>, 2024. Clerk of Council reminded the audience that the Public Hearing concluded tonight so even though the vote will happen at the next meeting, public comment will not be able to be made at that time.

**Deliberations ended.**

**Roll call.**

**VOTED YEA:** Erica Bogner, Samantha Cahill, Linda Hall, Jimmy Little, Jeff Patterson, and Jen Warner.

**VOTED NAY:** None

**ABSTAINED:** None **Motion Carried 6/0/0**

**B. \*ORDINANCE 24-016**, AUTHORIZING A SUPPLEMENTAL APPROPRIATION FOR THE MAYOR AND PUBLIC SERVICE DIRECTOR TO USE TO REPLACE THE ADMINISTRATIVE BUILDING'S LIFT CHAIR AND CONTRACT WITH 101 MOBILITY.

**Motion to waive the 2<sup>nd</sup> reading of Ordinance 24-016 due to an emergency.** Moved by Linda Hall and seconded by Jeff Patterson.

**Deliberations began. "Any questions or comments?"** The President noted that the sooner that we get this approved the sooner we can return to Village Hall chambers.

**Deliberations ended.**

**Roll call.**

**VOTED YEA:** Samantha Cahill, Linda Hall, Jimmy Little, Jeff Patterson, Jen Warner, Erica Bogner.

**VOTED NAY:** None.

**ABSTAINED:** None. **Motion Carried 6/0/0**

**Motion to adopt Ordinance 24-016** Moved by Erica Bogner and seconded by Jeff Patterson.

Deliberations began. "Any questions or comments?" None.

**Roll call.**

**VOTED YEA:** Linda Hall, Jimmy Little, Jeff Patterson, Jen Warner, Erica Bogner, and Samantha Cahill.

**VOTED NAY:**

**ABSTAINED:** None **Motion Carried 6/0/0**



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**C. \*ORDINANCE 24-024**, AUTHORIZING A SUPPLEMENTAL APPROPRIATION FOR THE CHIEF OF POLICE TO USE FUNDS FROM THE GENERAL FUND TO PURCHASE AND EQUIP A NEW POLICE CRUISER FOR THE DEPARTMENT.

**Motion to waive the 2<sup>nd</sup> reading of Ordinance 24-024 due to an emergency.** Moved by Linda Hall and seconded by Samantha Cahill.

**Deliberations began.** "Any questions or comments?" Council member Samantha Cahill reported that there was a wrong way crash, and the cruiser needs to be replaced. A replacement vehicle has been found, a 2023 that is available but, due to a shortage of these particular vehicles, they are holding this one for us until Council decides. The cost will be approximately \$58,000 for the replacement and the equipment in the vehicle. Insurance will cover about \$27,000 due to the age of the vehicle. The Committee would like to recommend this to Council. Chief Smith also stated that insurance is willing to cover a portion of the cost of equipping the vehicle and will use the equipment from the other cruiser that crashed that is still working. Resident, Mike Conway, asked the President if this was one of the older cruisers and Chief Smith answered no, this was a 2022.

**Deliberations ended.**

Roll call.

**VOTED YEA:** Jimmy Little, Jeff Patterson, Jen Warner, Erica Bogner, Samantha Cahill, and Linda Hall.

**VOTED NAY:** None.

**ABSTAINED:** None. **Motion Carried 6/0/0**

**Motion to adopt Ordinance 24-024** Moved by Linda Hall and seconded by Jeff Patterson.

Deliberations began. "Any questions or comments?" None.

Roll call.

**VOTED YEA:** Jeff Patterson, Jen Warner, Erica Bogner, Samantha Cahill, Linda Hall and Jimmy Little.

**VOTED NAY:**

**ABSTAINED:** None **Motion Carried 6/0/0**

### COMMITTEE REPORTS

**Public Service and Special Events** (Chair, Erica Bogner) Chairperson, Erica Bogner reported that the Public Service Committee met prior to this meeting and there is no legislation for this meeting, but it will be coming in the future.

**Finance** (Chair, Samantha Cahill) None.

**Employee Benefits** (Chair, Jimmy Little) None.

**Parks and Recreation** (Chair, Jeff Patterson) None.

**Development** (Chair, Linda Hall) None.

**Police** (Chair, Howard Wade) None.

### DEPARTMENT REPORTS

**Report for Mayor** – Mayor Martin reported that he appreciates Officer Youngblood. He is ready to go and even though he could tell he was a bit nervous tonight; he is doing his job well and we are glad to have him. We still have solar eclipse glasses at the Water Department, and the Mayor had a few with him this evening. It's exciting



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to hear people involved and voice their opinions and we will try to work everything out and see how it goes.

**Report for the Director of Public Service-** Director, John Mitchell opened by saying thank you to everyone on the Public Service Committee & Finance Committees for meeting to discuss the trash contract prior to this meeting. This allowed the Village to exercise their option to extend the current contract for a 4-year term. We will have legislation prepared for that at the next meeting on April 1<sup>st</sup>. They have been doing legwork for the Converse Park project and will need to eventually meet with the Parks and Recreation Committee to have discussions. The team has been getting ready for Spring as you see the warm weather did come and the grass is growing so we will be cutting grass in the next few weeks.

Resident Mike Conway asked President Warner if he may ask a question to Director Mitchell. He asked why is the Village extending the trash contract? He stated the last one was 5 years and for over 4 of those years we had nothing but issues. Knowing that why would this not go out to bid? Director Mitchell replied that they have reviewed all of that and for the last 2 or 3 years we have had really good service. Mr. Conway stated that it has only been the last 6-8 months and everyone sitting in Council has had issues with them. He sat up there and remembers having the conversations when it came up. Shouldn't something like that go out for bid? It's our tax dollars instead of extending it. If they are the best ones coming back with a bid, then what is the problem? Mr. Mitchell replied that they have reviewed the bids from a couple of other communities, and they were definitely a lot higher. Mr. Conway stated that Marysville is not our community. Director Mitchell replied that they will typically get better bids than we will due to their size and location. Regardless of that the Village will be moving forward.

**Report for Recreation and Special Events Manager** – Manager, Shelton Stanley reported that the Village had the Spring Shop Hop this past weekend. They had 23 vendors. He was not at the function due to being out of town, but his assistant Amanda Adkins let him know that attendance was good. They moved to 4 hours this event due to the vendors thinking 3 was not enough, but due to low attendance in the last hour they will look at returning to 3 hours at the next event. With Spring coming they have a lot going on. They ordered the paint for the bottom of the pool, and it should be coming this next week. The fertilizer is also coming for the athletic facilities. On March 30<sup>th</sup>, the Village will hold the Annual Easter Egg Hunt at Converse Park. The event is from 10 a.m. to 1:00 p.m. with the hunt beginning at 11:00 a.m. For everyone asking on Facebook, yes there will be people standing at the start this year to not allow the hunt to start early. Unfortunately, he had just stepped away last year to deal with an argument and someone yelled go. All they can do is move forward and take steps for that to not happen again. Mr. Stanley received news that Sue Hahn is retiring after 18 years, and he wanted to take time to say thank you for her service to the Community & Pool and she will be missed. Mr. Stanley stated that he had just driven in from his last vacation with the busy season coming up and now he is ready to go! Mr. Stanley did want to add that there are currently no shelter house rentals, so they are all on a first come, first serve basis. As far as athletic facility reservations they are a first come, first serve *unless* you have made reservations with Mr. Stanley. If there is no one on the facility you can use it. He works with the Youth Association and Travel organizations, and this is the process for both.

**Report for Director of Finance** – Director Rebecca Shipley-Arnott reported that Income tax in December ended up 17%, due to a large net profit estimate. 2023 as a whole ended up 7%. January of 2024 was down 5% and last week they processed 135 refunds for \$113, 953.01.

Since the last meeting:

Revenue items (over \$10,000 other than water, tax & regularly received items)  
Nothing notable



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Total receipts since last reporting 172 receipts for \$465,474.51 thru 3/15/24

Payment items (over \$10,000.00 other than reoccurring expenses; non-payroll)

3/18/24	Choice One Engineering	Engineering fees-Misc projects	\$26,300.00
3/18/24	Ag-Pro Ohio	Replace front axle on tractor	\$14,795.35

Total payments since last reporting 71 payments for \$98,437.67  
99 invoices paid thru 3/18/24

**Report for Chief of Police** – Chief, Brandon Smith reported that Officer Youngbloods training has been going very well. It is a relief getting an Officer hired that has experience like him from a larger agency. He can actually help other Officers with conflicts that they have never been in. We are interviewing for another Police Officer position actively. Officer Hiles is preparing to present a Distracted Driving assembly for the students at the high school. There is a Public Safety meeting tomorrow with the Sherriff and other Police Chiefs in the areas as well as the EMA for any driving conflicts we might have with the eclipse event so that we can be prepared. Since our last meeting there have been 144 traffic stops, 75 on Main Street with 47 resulting in citations.

**Report for Director of Development** –Director Tom Hale was not in attendance and Kristie West, our Building and Zoning Code Enforcement Official, stated that they had nothing to report at the time.

**Report for Director of Information Technology** – Director Mark Crosten stated he had nothing to report at the time.

**Recognition of Clerk and Council** – The Clerk wanted to acknowledge and thank Jimmy Little for attending the Ohio Municipal League New Council member seminar this past weekend.

**ADDITIONAL BUSINESS**-None.

**PAY THE BILLS**

**Motion to Pay the Bills** Moved by Jeff Patterson and seconded by Erica Bogner.

·All in Favor

**ADJOURN**

**Motion to Adjourn by President Jen Warner at 8:04 p.m.** and reconvene at the April 1st, 2024, regular meeting of Council. Motion moved by Jeff Patterson and seconded by Samantha Cahill.

All in favor.

  
Tisha Edwards Date 4-2-24  
Clerk of Council

  
Jennifer Warner Date 4-1-24  
President of Council