

# **RECORD OF REGULAR ROCEEDINGS**

**January 13, 2020**

Mayor Lane called the meeting to order at 7:00PM followed by the Pledge of Allegiance.

Council Members present were Jody Carney, Sherry Heineman, Shannon Pine, Darren Lee, Frank Reed, and John Rucker.

Village Staff present was Village Administrator Nathan Cahall, Fiscal Officer Renee Sonnett, Solicitor Paul-Michael La Fayette, and Council Clerk Andrew Moore.

## **APPROVALS**

December 23, 2019 – Council Minutes

Mr. Lee motioned, seconded by Ms. Pine, to approve the December 9<sup>th</sup> Council Minutes. 5 yea votes. Mr. Rucker abstained.

December 23, 2019 – Work Session Minutes

Mr. Lee motioned, seconded by Ms. Heineman, to approve the December 9<sup>th</sup> Council Minutes. 5 yea votes. Mr. Rucker abstained.

Mayor Lane nominated Tim Dawson and Ron Winn Jr. to the Design Review Board. Ms. Carney motioned, seconded by Ms. Pine, to approve the nominations. 6 yea votes.

Ms. Pine nominated Ms. Carney for the President Pro Tem of Council. Ms. Carney accepted the nomination. Ms. Pine motioned, seconded by Ms. Heineman, to appoint Ms. Carney to President Pro Tem. 6 yea votes.

## **REPORTS**

Fiscal Officer Sonnett's Report:

- Working on Year-end financial reports for 2019;

Administrator Cahall's Report:

- The Steam Thresher agreement has been revised and a final copy has been provided to Council for their consideration;
- There will be a need to obtain a permanent easement for the lead water lines for Gay Street. We are also improving the water main which will help the water pressure;
- 2020 repaving program and street grading process is complete;
- Online utility billing is officially up and running. We appreciate everyone's patience during this process.

## **REPORTS (cont.)**

Mr. Lee asked Mr. Cahall about the Exhibit displaying the campsite. Mr. Cahall explained that the text covers the image.

Ms. Carney's President Pro Tem Report:

- At the previous Work session council worked on a number of goals from last year and established the committee assignments.

Mr. La Fayette's Solicitor Report:

- Working on a foreclosure protection for the Village.

Mr. Heineman's CIP Report:

- Next meeting is planned for February.

Ms. Pine's Board of Zoning Appeals Report:

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Mr. Lee's Planning and Zoning Report:

- Proposed Oak Grove recommendation from Planning and Zoning Commission;

Ms. Carney's Park & Recreation Committee Report:

- Park meeting is on January 14<sup>th</sup> at 6:00PM in the Municipal building;
- Work has begun on the new playground equipment at Pastime Park.

Mr. Rucker's Fire meeting Report:

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Mr. Rucker's Design Review Board:

- Going to get with Ms. Pine on

Charter Advisory Committee Report:

- Mr. La Fayette explained that a few guest speakers have been confirmed but scheduling is working ahead

## **VISITORS**

**Wade Dunham:** began by stating that he is confused about what is happening with the Oak Grove development. Mr. Lee asked what company he represents. Mr. Dunham stated Evergreen Land Company. Mr. Dunham wanted to ask some questions as to why it was denied.

## **VISITORS (cont.)**

Mr. Cahall explained that the Planning Commission tabled the application at their own discretion. The Village ordinances require the Planning Commission to act on applications and send their recommendation to Council within 45 days.

Village staff helps applicants in ways they can. Mr. Cahall explained that there are some issues with the plans that would need to be corrected. Mr. Lee on the Planning Commission could explain that in more detail.

Mr. Lee explained that the Commission asked staff if they heard anything back from the applicant. The commission felt at that time they are required to act within 30 days after.

Mr. Cahall explained that with a supermajority vote Council could overturn the recommendation from the Planning and Zoning Commission' recommendation and could allow the applicant to continue with their application.

Mr. Reed asked how the current application process works for the Planning and Zoning Commission. Mr. Lee explained they would need to resubmit something new with a fresh process or they could ask Council to review revised plans then Council could proceed.

**Mr. Shepard:** He would like to respectfully degree with the Village's stance. He feels that's everything required is included in the plans, or drawings are lost. He attempted to deliver the binders to the necessary meetings. During the October meeting, he agreed that their team was not prepared so they asked to be heard again. They did not know the November meeting was scheduled. He received emails from Mr. Cahall.

He is unsure what information is missing and is worried there is miscommunication somewhere. He thought they were still waiting on the comments from the Village or Engineer.

Mr. Cahall asked if the Engineer was aware that he would be doing the redesign. Mr. Shepard asked if Mr. Cahall worked on the plans. Mr. Cahall stated he has staff do the reviews, but he has seen the plan.

Mr. Cahall explained that this is just the first reading tonight. The planning commission has provided the recommendation, now Council has the option to meeting.

Ms. Pine asked if they could table the Ordinance to allow the applicant to proceed.

Mr. Shepard explained that there was an error to the date listed on the Ordinance before Council as to when he submitted the plans on June 13<sup>th</sup>.

Mr. Reed asked Mr. Cahall if he thought there is a disconnect between the two parties. Mr. Cahall believes that the issues lie in the correction of the items identified by staff and the Planning and Zoning Commission. Mr. Reed asked if this would be beneficial to table this to clarify this issue.

## **VISITORS (cont.)**

Mr. Lee explained that the plans were lacking the information needed for approval. He feels that it isn't in the best interest of Council to act without the Planning Commission.

Mr. La Fayette explained that Council only has the authority to determine what to do with the application. If this is voted down, the resubmission could be done in a more expedited process since most items are completed.

Council will have to vote either way on this. Mr. Lee makes a valid point that the Planning Commission is designed to review the applications but doesn't supersede.

Mayor Lane believes there is a miscommunication here that can be resolved.

Mr. Lee explained to the applicant the process again.

Mr. Shepard explained that there are Village items that they need such as letters.

Mr. Rucker asked what items do you need from the Village?

Mr. Shepherd stated he submitted on Village on this date on this time. He continued that Mr. Moore submitted the information they have and what they need earlier this afternoon.

He explained that the traffic study is needed, and if there is a lift station, or water lines. He explained that there are no responses from Village staff or engineers.

Ms. Pine would like to make the corrections to the ordinance and reschedule to the next meeting. She did receive the plans on paper dated from October

Mr. Rucker asked for clarification, is a yes votes to confirm planning and zoning.

Mr. Cahall explained the traffic study that was completed by ODOT, there are some improvements that are not on the plans. The plans do not show the pipes are.

Mr. Shepard explained that he is revising the Final development plan doesn't require of the final development plan.

## **OLD BUSINESS**

Ms. Pine motioned, seconded by Mr. Lee, to table the 1<sup>st</sup> Reading of Ordinance 01-20 until the January 27<sup>th</sup> meeting.

Mr. Lee asked if there was any feedback on the letters that were sent out notifying residents of Council's consideration for Water and Sewer Rate increases.

Mayor Lane explained that the increase is small at roughly \$4.00 annually to the average household. Mr. Lee was unsure if the time frame was too short for giving residents time to come forward with questions.

**OLD BUSINESS (cont.)**

Ms. Carney explained that she has heard some concerns over the increase and has been asked by residents what other municipalities are charging and how that has been implemented.

Mr. Cahall explained that the current change is small and provides the Village the ability to gradually increase the rates over time. The Village is planning to start the rate increase now as water and sewer costs continue to rise.

Mr. Lee motioned, seconded by Ms. Pine, to approve Ordinance 14-19. 4 yea votes. 2 nay votes (Carney, Heineman). Motion carried.

3<sup>rd</sup> Reading Resolution 39-19, A Resolution Approving a Lease Agreement Between the Village of Plain City and Miami Valley Stream Threshers Association, Inc., for the Use of Certain Areas of Pastime Park

Ms. Pine motioned, seconded by Mr. Lee, to approve Resolution 39-19 with amendments to Exhibit A. 5 yea votes. Mr. Rucker abstained. Motion carried.

2<sup>nd</sup> Reading Resolution 40-19, A Resolution Authorizing the Sale of Impounded Vehicles

**NEW BUSINESS**

1<sup>st</sup> Reading Ordinance 02-20, An Ordinance Amending Section 121.02(a), of the Village of Plain City Codified Ordinances, Changing the Village Council Meeting Time

Mr. Cahall requested that Council consider passing the resolutions as emergency due to pending deadlines.

1<sup>st</sup> Reading Resolution 01-19, A Resolution in Support of the Proposed Annexation of Property Containing 0.6893 Acres More or Less from Darby Township, Madison County, Ohio to the Village of Plain City, Madison County, Ohio Pursuant to the Requirement of Section 709.02(C) Ohio Revised Code

Ms. Pine motioned, seconded by Mr. Lee, to waive three readings of Resolution 01-19. 6 yea votes.

Ms. Pine motioned, seconded by Mr. Lee, to approve Resolution 01-19 as an emergency. 6 yea votes.

1<sup>st</sup> Reading Resolution 02-20, A Resolution Regarding Zoning Buffers in a Proposed Annexation of Property Containing 0.6893 Acres More or Less from Darby Township, Madison County, Ohio to the Village of Plain City, Madison County, Ohio Pursuant to the Requirement of Section 709.02(C) Ohio Revised Code

Mr. Lee motioned, seconded by Ms. Carney, to waive three readings of Resolution 02-19. 6 yea votes.

**NEW BUSINESS (cont.)**

Mr. Lee motioned, seconded by Ms. Pine, to approve Resolution 02-19 as an emergency. 6 yea votes.

Mr. Lee motioned, seconded by Ms. Pine, to set a public hearing for Ordinance Oak Grove on February 24, 2020 at the pleasant valley fire station. 6 yea votes.

Meeting adjourned at 7:52PM

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Renee Sonnett, Fiscal Officer

Michael Darrin Lane, Mayor