



August 4, 2021 COUNCIL MEETING MINUTES
Special Meeting & Worksession
6:30 PM – Council Chambers

Mayor: Jody Carney **Administrator:** Nathan Cahall
Director of Finance: Renee' Sonnett **Director of Law:** Paul-Michael La Fayette
Council Members: President pro tempore J. Rucker, L. Giaimo, S. Heineman,
S. Pine, F. Reed, M. Terry

Present: J. Carney, J. Rucker, S. Heineman, F. Reed, M. Terry, S. Pine
Absent: L. Giaimo

Call to Order: Pledge of Allegiance
Mayor Carney called the meeting to order at 6:31pm.

Approvals: Meeting Agenda – August 4, 2021 Special Meeting & Worksession Agenda
Mr. Terry motioned to approve as amended, seconded by Ms. Pine. All in favor.

Meeting Minutes – July 26, 2021 Council Meeting
Mr. Terry motioned to approve, seconded by Mr. Rucker. All in favor, Ms. Pine abstained.

Special Meeting

Second reading: Ordinance 22-2021: An Ordinance Providing for the Issuance and Sale of Unvoted General Obligation Notes in the Maximum Aggregate Principal Amount of \$1,450,000, In Anticipation of the Issuance of Bonds, for the Purpose of Paying the Costs of Various Municipal Public Improvement Projects

Ms. Heineman motioned to approve Ordinance 22-2021, seconded by Ms. Pine. All in favor.

Second reading: Ordinance 23-2021: An Ordinance Approving a Supplemental Appropriation of Funds and Amendments to the Village of Plain City 2021 Budget

Ms. Pine motioned to approve Ordinance 23-2021, seconded by Mr. Terry.
Yea- Rucker, Terry, Giaimo, Heineman, Pine
Nay- Reed

Ms. Pine motioned to adjourn the Special Meeting, seconded by Mr. Rucker. All in favor.

Worksession

Work Session Discussion Items:

- Noise Ordinance

Mr. Lafayette prepared a memo that was distributed to Council. Mr. Cahall summarized the current noise ordinance and provided some options that Council can consider if they wish to adjust the ordinance. The current ordinance uses general language, and other municipalities use exact decibel readings. Council should consider if they want to keep the ordinance as is, amend the ordinance while leaving in the “ordinary sensibility” measure but adding hours in zoning districts, or adding more specific and defined decibel level that can be measured to determine if there is excessive noise coming from a property. The City of Hilliard’s noise ordinance was also distributed to Council and provides specific decibel readings in each district of the community.

Mr. Cahall explained that Council may want to be mindful of existing use places and spelling out certain First Amendment protections regarding locations. Mr. Terry would like Council to have more time to read over the documents and decide on a solution at the next meeting. Mr. Terry doesn’t think that no action is an option. Mr. Rucker added that Council should think of what sort of exceptions that should be considered per decibel level. Mr. Reed stated that, because the residential and downtown districts are so close, this will be a particular issue to work through. Council is also unfamiliar with what decibel levels sound like, and this should be considered when deciding. Mr. Rucker noted that distance may also need to be considered. Chief McKee added that cars driving by are about 70 decibels. Mr. Terry stated that Council needs to know what decibel levels are, and what they sound like from certain locations. Ms. Pine asked Chief McKee if he can borrow a decibel level reader.

Council will review the documents given to them and make further considerations based on the research.

Mr. McKee noted that the residents are trying to work with local downtown businesses on the current levels and that it’s already working out better.

- Design Review Board Ordinance

Mr. Lafayette provided a memo to Council regarding an interpretation of the Design Review Board ordinance. Mr. Cahall explained that this has been an issue because the ordinance was written in an unclear way. Council, in the next month or so, will need to weigh in on some policy questions on the Uptown structures. The section that references historic buildings also references the Department of Interior. There has been some confusion whether buildings in the Uptown district qualify as historic if the Department of Interior does not have them registered. The sections both outline the design standards of the Uptown district, but staff has been interpreting them as not applying to both sections.

In the Solicitor's conclusion, the guidelines specified by the Department of the Interior are applicable to the Uptown District. The takeaway is that, in the same ordinance as the established guidelines, the Design Review Board is permitted latitude on enforcement depending on circumstances. As we move forward, more specificity will be needed to avoid confusion on how standards are applied to properties in the district. The applicability of each building may need to be considered individually by Council. If a building is demolished in the district, the board will need to decide what style of architectural style it will need to adhere to. Mr. Rucker noted that the historic time of the standards was tried to be inclusive of the ages of all the current buildings uptown.

Mr. Reed asked if the document provided by Mr. Lafayette could be distributed to the public. Council decided to waive the privilege and residents can be allowed to view.

Mr. Rucker added that, if a set of rules could be applied to the district, the Design Review Board is not needed. The Board was established to allow for special circumstances and to review the code based on individual requests. Mr. Reed disagreed, but Ms. Pine explained that the Board is made up of professionals and the guidelines state that the board can deviate from guidelines. Mr. Terry asked about the guidelines, and if there is an overarching law that sets design guidelines. Mr. Cahall explained that no, the boards and commissions can review each request and make decisions. Mr. Reed asked about the public interest and special circumstances that are reviewed by the Design Review Board. He does not believe that the board has the power to make exceptions if public interest is involved. Mr. Reed wishes that the historic district is maintain as close to current character as possible and believes that this will boost tourism. Mayor Carney added that there are currently four buses going through town.

Mayor Carney asked about the Zoning Code Rewrite, and whether guidelines are being created for the district. Mr. Cahall responded that this is a Council decision, and their direction will be needed as the code rewrite occurs. There are many ways to do this type of thing, and other communities have something similar. The guidelines can also be applied to each specific property, based on the age of the building. At a staff level, we are helping residents and business owners with both standard enforcement and open information and guidance. In this case, staff could create a catalog of building enhancement options that do not have to get further approval for installation. Mr. Cahall also suggested that changes to the DRB public notification process would help. Currently, every meeting has to have a legal notice which limits the meeting and feedback process. Mr. Rucker added that, as of right now, there are most likely hearings at every meeting as development continues. Mr. Reed suggested that the ordinance be changed to allow for DRB work sessions without the legal notice. He also added that Council should have to review everything that the DRB decides on. Mr. Rucker suggested that be put on the next Council meeting.

Mr. Reed asked the Law Director if Council can already make decisions on Design Review Board decisions.

Mr. Holthus explained that Council reviews appeals to make sure the Design Review Board followed procedures correctly; Council is not making a decision on the application. There was some discussion about the recent DRB appeal and Council's role in appeals. Mr. Holthus stated that Council's only responsibility during appeals is to consider if the Design Review Board followed procedures.

Mr. Rucker stated that Council does not review every decision made by every board and commission and does not believe that the Design Review Board needs to be reviewed by Council specifically.

Mr. Terry added that the Zoning Code rewrite steering committee is currently reviewing these ordinances and believes Council should not make any changes until those reviews are done. Between now and then, Mr. Terry is fine with small changes, but the direction has been set by the Steering Committee and this process needs to continue to be followed. The issue is what is approved or denied between now and the rewrite, but Council should continue to follow the ordinance. Mr. Cahall added that the codes rewrite is wrapping up the steering committee feedback and final decision items will be brought to Council in the next 45 days. From there, a decision will need to be made on how it is implemented. Ms. Pine will pass along Council's discussion and believes that guidelines should be developed. She will also ensure that undeveloped properties have a set of standards as well.

- Administrator Goals

Council and Mr. Cahall discussed several goals that the Administrator will follow for the upcoming year. The goals are specific to reporting to Council, managing staff, and completing large projects.

Also included is the development of a compensation plan with an organizational development plan. The biggest goal is to complete the construction of the wastewater treatment plant, along with I&I reduction and other capital projects. Mr. Cahall will be focusing on professional development and succession planning for staff.

Mr. Terry believes that these are the types of specific goals that employees should be held to. It is fair to set goals so everyone is on the same page and progress can be evaluated appropriately. Per Mr. Terry, Council's job is to focus on the big picture, while employees run the day-to-day operations. This will create some positive, forward momentum. Mr. Reed agrees with the goals but believes it should not be so heavily infrastructure focused, in the future.

Mr. Cahall stated that there is a lot going on, and a lot is out of staff control, but staff should do the best they can.

Mr. Reed asked about the lighting for the parking lot project, Mr. Cahall responded that lighting has a long lead time. Mr. Reed suggested that security cameras be installed in the parking lot and potentially on Main Street. Mr. Cahall added that staff is looking into installing cameras at the park and will look into cameras at the parking lot.

Council decided that the Administrator will have quarterly reviews during Executive Session during Worksession, with an annual review each July. The Administrator will also add in a goal report to the weekly report.

- Speed Reduction at Pastime Park

There have been some issues with speed lately in the park and speeding towards the ballfields. Staff gave Council a proposal for some new speed measures they would like to be installed. These include the enhancement of the current speed bumps, installation of a few bollards, and installing new speed bumps on the road to the ballfields.

If the initial measures do not work, speed bumps can be added to the gravel roads as well.

There's also the possibility of shutting down the road parallel to Michaels Street from the stage to the Youth Building, in the future.

Mr. Reed would like a compromise without including too many more speed bumps. There was some discussion about the price of including speed bumps/humps in the 2022 paving program budget. Mayor Carney asked Linda Granger (Parks Director) about other potential traffic diversion measures. There was further discussion about what currently works and what doesn't.

Staff will begin the speed measures in 2021 and continue as we see what works. A gate will also be explored for the road.

- Pre-Annexation Agreement

There is a developer working with the Planning Commission, who is purchasing the farmland to the south of Madison Meadows. They are looking to annex the 80 acres into the Village. Staff has drafted a pre-annexation agreement which gives the Village agent authority to work with the township and county commissioners. In exchange for this, the applicant has to stay the course with the Village. Concurrently, the applicant needs to submit a development and rezoning application to be approved by Council.

There was some discussion about traffic impacts, especially on Perry Pike and Lafayette. Also, it was brought up that the Village still has not annexed the two properties off of Perry Pike. The Health Department is supposed to enforce connection to water and sewer lines if they are available to properties.

Mayor Carney asked if the Planning Commission can address the property across from Perry Pike? Mr. Cahall responded that Council is responsible for this discussion. Homeowners must be annexed to use Village services.

Mr. Terry asked if the developer is aware of the treatment plant issues. Yes, they are fully aware, per Mr. Cahall. Mr. Terry asked if there will still be enough room on US 42 with the development of this property. Mr. Cahall responded that yes, there is still another property behind this. Mr.

Terry emphasized that he would just like to maintain the Comprehensive Plan, during all future discussions.

The annexation process will be on the agenda for Monday's Council meeting. Mr. Cahall explained the process. While the process is ongoing, Planning and Zoning can start their process.

- Inflow & Infiltration Reduction

The Village has received final pricing from contractors for sewer camera work. Contracts will be entered into tomorrow. Work will include camera work, sump cleaning, and geolocating sewer laterals. In conjunction with this work, smoke testing will be conducted. This will be the first demonstrative action that residents will notice if they are connected to the sanitary sewer line.

There is also the issue of residents that are connected into the sanitary sewer line through multiple connections. This process will allow us to find out who is connected. Then the Village will notify residents and give them the opportunity to disconnect. The scope of the work will depend on each property. The EPA is concerned that the program is in place, and that the Village will pursue compliance. The problems are mainly in the northeast quadrant of the Village, since it is the oldest part of town. There is not a lot of storm sewer infrastructure in this area.

The Village is looking at installing temporary storm sewer lines through curb lines, until the storm sewer infrastructure can be done.

Mr. Cahall asked Council to consider the extent that the Village will rebate costs to homeowners as they disconnect. Some communities do not reimburse at all, some do cost sharing, some do rebates up to a certain amount. Staff is also reviewing assessment options, and a combination of a cost share and assessment. Mr. Rucker noted that residents will be affected by this cost, especially if it's around \$1000. Mr. Cahall also stated that the Village can sometimes do the work at cost. Council should consider some options, and more discussion will be had when the results of the testing in the next month. Mr. Terry encouraged staff to explore the House Bill 168 funding, which could offset some of these costs.

Mr. Cahall had a meeting this morning on the grant funding. Staff recommends applying for construction dollars for the water treatment plant and potentially the north water line. He agrees that if this funding is received, it may help to offset these costs.

There was some discussion about unhooking residents during infrastructure projects. These residents are given the opportunity to connect to new sewer lines for free since the work is already being done.

- Rules Committee

Per Mr. Reed, having a Rules Committee will put constraints on the members to observe all committee restrictions like taking meeting minutes, sending notices, etc. If there is not an official committee, the members can have informal discussion.

Mr. Terry asked if a Rules Committee was established at the beginning of the year.

Mr. Reed received agreement that an official committee was not established and will double check the annual organization minutes as well.

Executive Session:

Mr. Rucker motioned to enter Executive Session, seconded by Mr. Terry. All in favor

Executive Session – Pursuant to Ohio Revised Code Section 121.22 G (2) To consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section 505.10 of the Revised Code

Mr. Terry motioned to exit Executive Session, seconded by Ms. Pine. All in favor.

Meeting adjourned.