



**Council Meeting Minutes**  
**April 26, 2021**  
**6:30pm via Videoconference**

Mayor: Jody Carney – Fiscal Officer: Renee’ Sonnett – Solicitor: Paul-Michael La Fayette  
Council Members: L. Giaimo, S. Heineman, S. Pine, F. Reed, J. Rucker, M. Terry

Others present: Haley Lupton (Management Analyst), Nathan Cahall (Village Administrator), Renee Sonnett (Fiscal Officer), Paul LaFayette (Solicitor), Taylor Brill (Zoning Inspector)

Visitors: Kayleen Petrovia, Roberta Scott, T. Andrews

**Call to Order**

Mayor Carney called the meeting to order at 6:31pm, followed by the Pledge of Allegiance. All Council members are present.

**Approvals:**

Minutes: Council Meeting – April 12, 2021

Mr. Reed motioned to approve the April 12, 2021 Council Meeting Minutes, seconded by Ms. Pine. Six yeas votes.

**Reports:**

Mayor

- Last Saturday was the 20th anniversary of ASE Feed & Supply Store. A proclamation was presentation to Mr. Ken Jewell, thanking him for his support of helping K9 Andor.
- The Mayor is speaking to the Plain City Business Association this Wednesday.
- May 1 will be the Lion’s Club Annual Breakfast at the Park. This will be a drive through event.
- Madison Meadows has their groundbreaking event next week on Wednesday, May 5.
- Working with local businesses to create a Ladies’ Night event on May 6 to highlight some new businesses.
- There was a great turnout for the Hazardous Waste Event at 158 participants. Participants were also present at the Cleanup event and the Drug Takeback Event.
- The Mayor would start moving to in person meetings in May. As long as there is a way to have public participation online, we can have visitors in person and through Zoom.
  - Ms. Pine noted her schedule may not be able to be in person on May 10. She may try to join virtually, if possible.
  - Mr. Terry agreed that an online option for future meetings would be beneficial for many reasons.
  - Mr. LaFayette noted that, per the law, once the Declaration of Emergency is listed, all meetings have to be in person. It is currently scheduled to expire in July.
  - Mr. Reed would like to see a hybrid option for the foreseeable future.

- Ms. Giaimo would be interested in moving to in-person with an online option.
- Ms. Heineman is ok with joining in person.
- The May 5 Worksession will be held as a hybrid option.
- Subcommittees will also be alerted that they may begin meeting in person and may be required to in July unless the Governor's orders are extended.
- Mr. Reed asked Mayor Carney about a potential summer event that would allow businesses to have open houses, like the Christmas Under the Clock event. Mayor Carney agreed and said that the Ladies' Event is going to be similar but would also explore a Summer event.

#### Fiscal

- Nothing to report.

#### Police Chief

- Mayor Carney read the Chief's Report.
- Officer Hogston is done with Phase 2 of training.
- The park vandals were caught, and the issue was taken care of.
- With the warmer weather, please remember to lock your cars and houses.

#### Village Administrator

- There was a busy utility day today in terms of shut offs. The Gay Street was shut down, but service is back with a boil alert. The same is true for Villa Drive. Both projects are proceeding well.
- Gay Street project is wrapping up the water line work and moving to storm sewer before final roadway work. They are on schedule to complete on time.
- Tonight on the agenda is some enabling language for the 2021 Paving Program. Mr. Cahall is requesting that both resolution and ordinances to have the three readings waived so the project is not delayed.
- The streetscape project will be discussed later. We are waiting on the revised design for the Parking Lot project, and we are hoping to have that by the end of the week.
- Madison Meadows is having the official groundbreaking ceremony on May 5. Please let Heidi know if you plan on attending.
- Mr. Reed asked if the Supplemental Budget needs an amendment. Mr. Cahall answered that, yes, there is a revision to consider with the exhibit that was in the packet. The revision was because of the Personnel & Finance Committee decisions.

#### President Pro Tem

- The May Worksession will be in person next week at 6:30pm at the Village Offices. A zoom link will also be distributed. Agenda items should be submitted by next Monday.

#### Solicitor

- BZA meeting last week. Meeting again tomorrow to rule on the Findings of Facts. The application was for a new sign at Miller Furniture.

#### Capital Improvements

- Nothing to report.
- The Mayor will send the Clerk an agenda item for the May meeting, nominating a new member.

#### BZA

- No further updates from the Solicitor's update.

#### Planning & Zoning

- Phase 1 Development at Madison Meadows and Darby Station were approved.
- The commission also reviewed the updated ordinance per the Charter.
- The May agenda will also see a lot of activity.

#### Parks and Recreation

- Nothing to report.

#### Personnel & Finance

- The committee met on April 14 and reviewed the revised Supplemental Budget in detail and recommends passage, after the amendment.
- The committee will change their meeting date to the last Wednesday of the Month starting in July.

#### Fire

- Next meeting is May 6 at 6:30pm at the Fire Station.
- The Mayor noted that their setup for the Drug Takeback Day was very effective.

#### Design Review Board

- Next meeting is Wednesday at 6:30pm, it will be held virtually. There is a lot on the agenda.

#### Charter Transition Committee

- Met last Tuesday, April 20 and reviewed the red-lined ordinance for the charter changes.
- The changes to the Personnel Manual were also reviewed. Once P&F recommends everything, the changes should be good to go.
- Agenda items will be on the May 5 Worksession for Council review.

#### **Old Business:**

**2nd Reading Resolution 16-2021:** A Resolution Approving a Supplemental Appropriation of Funds and Amendments to the Village of Plain City 2021 Budget

Mr. Reed motioned to approve Resolution 16-2021 as amended, seconded by Ms. Pine. Six yea votes.

Mr. Reed motioned to waive the three readings for Resolution 16-2021, seconded by Mr. Terry. Six yea votes.

Mr. Reed motioned to approve Resolution 16-2021 as an emergency, seconded by Mr. Terry. Six yea votes.

**1st Reading Ordinance 06-2021:** An Ordinance Authorizing the Village Administrator to Advertise and Accept Bids for the Village of Plain City Community-Wide Repaving Project

Ms. Pine motioned to approve Ordinance 06-2021, seconded by Ms. Giaimo. Six yea votes.

Ms. Pine motioned to waive three readings for Ordinance 06-2021, seconded by Ms. Giaimo. Six yea votes.

**Planning and Zoning Commission Recommendation, PZ-21-4: Madison Meadows Section 1 Final Plat**

Ms. Pine motioned to approve PZ-21-4, seconded by Mr. Terry. Five yea votes (Ms. Heineman, Ms. Pine, Ms. Giaimo, Mr. Terry, Mr. Reed), one nay vote (Mr. Rucker).

**Planning and Zoning Commission Recommendation, PZ-21-6: Darby Station Phase 1; Part 1 Final Plat**

Ms. Pine motioned to approve PZ-21-6, seconded by Mr. Terry. Five yea votes (Ms. Heineman, Ms. Pine, Ms. Giaimo, Mr. Terry, Mr. Reed), one nay vote (Mr. Rucker).

**Planning and Zoning Commission Recommendation, PZ-21-7: Darby Station Phase 1; Part 2 Final Plat**

Ms. Pine motioned to approve PZ-21-7, seconded by Ms. Giaimo. Five yea votes (Ms. Heineman, Ms. Pine, Ms. Giaimo, Mr. Terry, Mr. Reed), one nay vote (Mr. Rucker).

**Planning and Zoning Commission Recommendation, PZ-21-8: Darby Station Phase 1; Part 3 Final Plat**

Ms. Pine motioned to approve PZ-21-8, seconded by Mr. Terry. Five yea votes (Ms. Heineman, Ms. Pine, Ms. Giaimo, Mr. Terry, Mr. Reed), one nay vote (Mr. Rucker).

**Planning and Zoning Commission Recommendation, PZ-21-9: Darby Station Phase 1; Part 4 Final Plat**

Ms. Pine motioned to approve PZ-21-9, seconded by Mr. Terry. Five yea votes (Ms. Heineman, Ms. Pine, Ms. Giaimo, Mr. Terry, Mr. Reed), one nay vote (Mr. Rucker).

**Discussion Items**

*Uptown Streetscape Project*

Mr. Cahall informed that the plans are being wrapped up for bidding. There was a hiccup last week. The Right of Way line does not extend the entire width of the sidewalk, so some building owners have to acknowledge that the Village may include their property in the improvements, to avoid major drainage issues.

Various property owners have been in contact with the Village. There is an issue on the block between Chillicothe and the first alley. Staff is working with the property owner on addressing a drainage issue in the alley. The plans were done and were able to fix the drainage issue, and allow the owner room to install an ADA ramp at the building. However, there is now concern about the sidewalk's elevation relative to the building face. Per the building owner, the building may be weakened by the sidewalk covering up a row of bricks. This issue hinders our ability to create positive drainage. Also discussed was the vacation of the alley and wrapping that into the Right of Entry agreement. However, this is a legislative function so Mr. Cahall could not move forward with this issue.

Lowering the sidewalk elevation to the current level results in the drainage issues not being fixed, or there will be no curb to Main Street. Or the project can stay in the Right of Way and install a slip drain along the line that will run to the sewer. There will still be a concave trough, but it will drain. The sidewalk may not be uniform to the front section of the building. The alley drainage may also need fixed in the future or by the building owner.

Mr. Cahall is asking for Council's guidance on how to proceed. Mr. Cahall pulled up an image of a similar issue in West Jefferson. In this space, the church sits much higher than the roadway and has a slip drain on the curb. This would reduce long term maintenance. The downside is that the final look will not be as finished. Mr. Reed asked some clarifying questions about the replacement of the concrete. Mr. Cahall answered that certain portions of the sidewalks can be replaced if the owner has signed. However, there is a large grade change on this block, and that is where the issues come in. Mr. Reed agrees that we do not want to cause issues on the building. He suggested putting the drainage tiles up next to the building.

Mr. Cahall responded that the three options were: 1) do it as planned, 2) do the drainage tiles, or 3) mill down Main Street, which is not practical. Mr. Terry asked if the original option handled the water drainage issue. Mr. Cahall responded that yes, this was an original issue, so it is taken care of in the design. It also allowed the two property owners on both sides of the alley to tie into the drainage line. Mr. Terry's opinion is that this individual is slowing down the progress of the project. To not be delayed, if future designs are made for the building owner's requests, they will be responsible for paying for the improvements. Mr. Terry does not want to negotiate with the property owners, and they continue to hold us hostage for future improvement. Unless the original design is approved, Mr. Terry will vote against any future request that the property owner makes. Ms. Heineman agrees with Mr. Terry.

Mr. LaFayette clarified that our engineer does not see the same concerns as the building owner. Mr. Cahall responded that no, the elevation was considered and a vapor gap can be installed next to the building. The village's design was to move water away from the buildings. The building has been accepting the water up until this point. Mr. Reed noted that the brick is exposed and can dry out and if it is covered, it cannot. However, Mr. Cahall responded that the engineer does not see an issue. Mr. Reed would like to get opinions from the Engineer and the building owner. However, Mr. Terry does not agree that the building owner's opinion matches the engineers. Mr. Reed noted that he just does not want to see damage to the buildings.

Ms. Giaimo asked if there was any concern from the building owner up until this point. Mr. Cahall responded that this issue was brought up last week because design options with the drainage and ADA ramps were brought up to the owner. The ramp discussions with the property owner include the installation of a ramp in front of the building. Designs were amended to include more space for the owner to build that ramp.

Mayor Carney noted that the brick issue was brought up to her during an original meeting. Mr. Cahall noted the new concern is for the frontage brick, not the alley bricks. Mr. Reed emphasized that the water obviously damages bricks and would like additional information.

Mr. Cahall presented the alley and the drainage issues that it currently has from the downspouts. Mr. Reed asked if the building's brick could be replaced with a different material. Ms. Cahall also noted that the property owner is looking to have the alley vacated. Mr. Reed responded that he would not be in support of vacating the alley.

Mr. Lafayette asked about moving the water away from the building. Mr. Cahall responded that it is currently in the plans for all water to move away from the building. The problem will never be 100% fixed, but it is moving in a better direction. Mayor Carney agreed that the Uptown Streetscape project needs to move forward. Mr. Cahall will circle back with the property owner tomorrow. If an agreement is worked out that would be fantastic, but Plan B will still accomplish almost everything for the project.

The alley issue will be discussed further at the May Worksession. The items will be taken care of separately. Mr. Cahall will report back to Council and explore all viable options. Mr. Terry asked, if yes is not received tomorrow, will the Village move forward with the drainage option? Eminent domain was brought up, but Mr. Rucker noted that he would not consider it as an option. Mr. Rucker would prefer the meet in the middle model. Ms. Pine, Ms. Heineman and Ms. Giaimo agreed. Mr. Cahall will remain with the two options decided on tonight.

### **Executive Session**

Ms. Pine motioned to enter Executive Session, Ms. Giaimo seconded. Six yea votes.

Ms. Pine motioned to exit Executive Session, Ms. Giaimo seconded. Six yea votes.

Meeting adjourned at 8:23pm.

Minutes submitted by Haley Lupton