

## RECORD OF REGULAR PROCEEDINGS

October 12, 2020

President Pro Tem Carney called the meeting to order at 6:31 via Zoom followed by the Pledge of Allegiance.

Members present were Ms. Carney, Ms. Heineman, Mr. Lee (received letter of resignation today), Ms. Pine, Mr. Reed, and Mr. Rucker.

Visitors were Michael Terry, Mike Malone, Tony Matessa, David Kell Marla Farbacher, Julie Miller, Dale McKee, Catherine Cunningham, Madyson Watson, Mark Bennett, Julie Miller, Taylor Brill.

Ms. Pine motioned, seconded by Mr. Reed to approve the September 23, 2020 Council minutes. Four yeas votes.

Mr. Rucker motioned, seconded by Ms. Pine to approve the September 28, 2020 Council Work session minutes. Four yeas votes.

Work session September remove Ms. Carney from vote per Mr. Reed as she is now Mayor, recall roll for 28th and work session.

Opened floor to Julie Miller about opening a Physical Fitness Facility. Mr. Reed asked where is business located. Ms. Miller stated she currently trains out of Steadfast Fitness; the new facility will be behind the Presbyterian Church. Mr. Reed asked do you live in the village? Julie, I live in the village.

David Kell update from Madison County Chamber. Talk about community preparedness and function of economic development in county. Has 2 Community Board Members Mark Bennet and John Rucker on the call. Variety of leads for economic growth, including residential and jobs. Enormous job growth in Madison Co and continued growth. Talk about community preparedness. Add capacity to community thru sewer system enhancement. Documents Lead Happy: Site Search & RFI that talks about type of company looking to come to Columbus region and lists requirements that are needed by company. RFI that they fill out, typically a spreadsheet of requirements that they are looking for as close to an idea site as possible. Working with Nathan on opportunities. Lost Natures-One to Heath OH because they had a site with utilities and work force evaluation. Mr. Reed asked CIC that in part, seems like primary focus is economic development, is that fair to say? Mr. Kell ??? helping W. Jefferson to sell land for residential development, spoke with Ms. Carney for development. Mr. Reed questioned about community development and redevelopment, in sense that you have the power to buy and sell real estate. Is CIC interested in that? Mr. Kell depends on the project; he has board to answer too. Economic development and community development intertwine. Mr. Reed gave example of building in ??? to get control of building, getting grant money and redo it and make it a viable project. Mr. Kell if the resources are there then yes. Mr. Reed when he finds ??? council is in the process of discussing of focuses on more economic development, in 2021. Mr. Kell would be willing to working with village on that, uptowns are vital. Lot of job growth. Happy to work with Councilman Reed. No additional questions.

### REPORTS

Mayor- Ms. Carney met with Mr. Kell discussed the vision for Plain City and what Madison Council Chamber can offer to help achieve our goals. Wants to thank staff for video that went out today. Thank PD for having a presence during school during rush-hour pickup and drop-off. Street Dept. staff for trimming trees to help local farmers get equipment to fields.

Village Administrator- S. Chillicothe water main project is finished with a few punch list items and grass growing soon. Construction of pedestrian connector has gotten under way. Repaving program started today and should be done in about 3 - 3.5 weeks, weather permitting. 2021 budget is in front of you for 2<sup>nd</sup> reading, staff has received preliminary HC renewable numbers. Will review during work session. 1<sup>st</sup> reading several pieces of legislature related to sewer plant and funding thereof and OWC for next year. Encourage residents to nominate the mayor for

daytime Emmy. Mr. Reed asked about email ??? funding not in 2021 shown as a line item in Police Department (PD) fund is coming out of contingency funds? Mr. Cahall had opportunity to secure a discounted price on PD radios, an expense that was anticipated to be incurred in 2020 but based on pricing it was felt prudent to purchase this year, which nullifies for next year. Mr. Reed has \$20k for miscellaneous equip, not enough to cover radios, if we put a line item in ??? do we just reduce contingencies by \$41k? Would like to show it as a line item ??? remaining contingency for 2020 would be \$9,000. Mr. Reed how much free money we have for CARES act, whatever amount it is, personal preference would be not to have to return funds, many useful things that we could do. Maybe in work session you could provide that numbers. Mr. Reed stated that Ohio Municipal League gives many options for how to use the funds.

Police Chief- Chief McKee nothing to offer.

President Pro Tem- Ms. Carney needs to elect President Pro Tem. Mr. LaFayette suggested waiting on when vacant seats are filled. Hold off until Work Session, needs majority of quorum. Mr. Reed wants to do during work session. Mr. LaFayette as long as we put it on the agenda and properly noticed. Mr. Reed wants to do on Wednesday, Ms. Pine concurs.

Personnel & Finance-

Mr. LaFayette – Charter Commission legislation is before council tonight. Final revision. Council is required to put on ballot. Would prefer that this go on a special election March 16 2021, mandated by Ohio Constitution. Charter Commission would like to get thru the 3-reading process in October. Therefore, referendum would run month of November, gives 19-20 days after referendum period before it's presented to Board of Elections (BOE). Mr. Reed asked what could come up with Board of Elections? Mr. LaFayette to the extent that someone would pursue a referendum on it, or a script error or technical issue that BOE might have on it. Gives the ability to address it. Mr. Reed not conceivable that commission would go back and change wording? Mr. LaFayette no. Mr. Reed the better process would be to get it in earlier rather than later. Mr. LaFayette right. Mr. Reed council pays the bills for mailing this to electors, correct? Mr. LaFayette correct. Mr. Reed education ??? if council wanted to fund some of those expenses, we would need a resolution to do that? Mr. LaFayette yes. Charter can go to Council to ask them to print up some education materials. Need to be careful in promotion of the ballot issues. Council cannot get into the support or not support the ballot.

BZA - Ms. Pine no items this month, short 2 members Tara and Darren Lee and Dan Fennell moved out the village a month ago, can no longer sit on BZA. Working on getting this filled. Mr. Reed can council members fill committee position in emergency. Mayor Carney only certain number of council members can sit on committees. Ms. Pine they are code. Ms. Carney will handle agenda for work session until Pro Tem is resolved. Mr. Reed asked if Ms. Carney is still on P&R committee, Mr. Reed said he would go as backup until. Ms. Pine has been covering

P&Z – Ms. Carney MI development on east side of 161 is on agenda tonight. Scheduled for 1<sup>st</sup> reading. Oak Grove has continued not to over forward, but might attend next meeting 21<sup>st</sup>. Mr. Cahall proposed rezoning at corner of Noteman and Chillicothe.

P&R - Ms. Carney and Linda Granger working winter camping, Halloween party on 31<sup>st</sup>, 5-7pm with food trucks and trick or treat lane. Ms. Farbacher is supporting event. Linda also working on Christmas under the Clock and combining Santa and Reindeer with one event. There was leftover material from redoing the park office so Public Works Dept. repaired the stage.

Personnel & Finance - Ms. Carney opened floor to Mr. Reed about Management Analyst position. She suggested pushing to end of meeting if time permits. Mr. Reed said work is continuing but meetings are not unless there is a personnel issue. Sharing documents with committee members to keep up to speed.

Capital Improvements – Nothing

Fire – Mr. Rucker met last week, fire chief wasn't there last week, held by captain did well. Discussed pneumatics, hoping to have it ready to go by end of year. Spec'd out a new fire truck. It is fire prevention week

DRB - Mr. Rucker has meeting scheduled

## **OLD BUSINESS**

Ms. Carney opened the public hearing for Ordinance 16-20. Amending Codified Ordinance section 1165.02 (Permitted uses in the B-3 Central Business District) to add Physical Fitness Facilities as a permitted use. Ms. Weaver wants in B3 district which will allow personal training into that spot. No comments. No opponents to proposed change. Closed public hearing 7:22pm

**2<sup>nd</sup> Reading Ordinance 18-20**, An Ordinance Amending Section 1133.01(h) of the Village of Plain City Subdivision Regulations – Fees and Permits

**2<sup>nd</sup> Reading Resolution 24-20**, A Resolution Amending Fees for Pastime Park, Recreation Fees, and Aquatic Center Rates and Fees

**2<sup>nd</sup> Reading Resolution 25-20**, A Resolution Authorizing the Sale of Impounded Vehicles

**2<sup>nd</sup> Reading Resolution 26-20**, A Resolution Approving Appropriations for Current Expenses and Other Expenditures of the Village for the Fiscal Year Ending December 31, 2021

## **NEW BUSINESS**

**1<sup>st</sup> Reading Ordinance 19-20**, An Ordinance Rezoning 335.83+/- Acres Located Along US Route 161 (Parcels #1800021700000, #1800021710000, #1500210250000, #0400776000 and #0400818000 as Identified by the Union and Madison County Auditors' Offices) From Village of Plain City RS2, B2, RU, and I1 to Planned Residential District (PRD) and Approving a Preliminary Development Plan for the Darby Station Residential Development. Ms. Pine motioned to set the public hearing for November 23, 2020, Mr. Rucker Seconded - four years Mr. Reed questioned on last thing is it I1 or I1? il

**1<sup>st</sup> Reading Resolution 27-20**, A Resolution Authorizing the Village Administrator to Apply for, Accept, and Enter into a Cooperative Agreement for Construction of the Plain City Wastewater Treatment Plant Expansion Project Between the Village of Plain City, Ohio, and the Ohio Water Development Authority, and Declaring an Emergency Mr. LaFayette cannot declare an emergency, statue requires 3 quarter majority of all elected council members, need 5 and then 4 to pass emergency. Recommend do as a first reading, if council desire to pass as emergency, can do so if put on special meeting for Wednesday after appointment of two council members, at beginning of meeting on Wednesday. Ms. Pine asked would timing work if we did the first reading and then ?? could waive and pass as emergency ???

**1<sup>st</sup> Reading Resolution 28-20**, A Resolution Authorizing the Village Administrator to Apply for, Accept, and Enter into a Cooperative Agreement for Planning of the Plain City Wastewater Treatment Plant Expansion Project Between the Village of Plain City, Ohio, and the Ohio Water Development Authority, and Declaring an Emergency

**1<sup>st</sup> Reading Resolution 29-20**, A Resolution Authorizing the Village Administrator to Apply for, Accept, and Enter into a Cooperative Agreement for Construction of the Noteman Road Area Improvement Project Between the Village of Plain City, Ohio, and the Ohio Water Development Authority, and Declaring an Emergency

**1<sup>st</sup> Reading Resolution 30-20**, A Resolution Authorizing the Village Administrator to Apply for, Accept, and Enter into a Cooperative Agreement for Planning of the Noteman Road Area Improvement Project Between the Village of Plain City, Ohio, and the Ohio Water Development Authority, and Declaring an Emergency

Ms. Carney said Mr. Reed was under the impression that staff would come back with the job description to council and then decide that would be moving forward. Council member understanding? Ms. Pine understood potential duties and where person would fil in and various capacity. The management analyst seems to cover everything. Mr. Reed what do you think is lacking. Mr. Reed concern not that we didn't get to see it, two issues. One is how council disposes of these new staff member issues and the other is how the clerk of council fits in to this whole big picture.

Two places in Ohio Revised Code 731.13 where legislative authority ??? 735.273 specified village administrative appoints ??? providing that such are approved by authority and council had not seen nor authorized the job description. Mr. Lafayette council's authority is can create position and can define positions and fund position but once those are done it's up to administrator. Depends on how far in the weed's council wants to get involved, in the past normally, council has given authority to administrator ??? then left up to administrator to determine job description, negotiate salary, set rates/compensation, up to council if they want to get involved. There authority to do so, but as pleasure of council. Mr. Reed my wish is not to get into the weeds on description but having an opportunity to comment on it but to provide authorization to staff, according to how I am reading code. Mr. Lafayette it's up to council. Mr. Reed wants ??? Ms. Carney? Should ask other council members??? Mr. LaFayette the issue council can create and fund the position. How far you want to get involved is up to you discuss now. Ms. Pine thought we gave administrator position to create, description based on need of village. Charter does state that we need a city clerk and we can deal with that when we need to fill that position. Ms. Heinemann, I'm with Shannon. Mr. Rucker, we hired the administrator to do a job, no point in getting in the weeds on this. We shouldn't micromanage our administrator. We point and turn him loose. Mr. Reed code says it and Mr. Lafayette confirmed it, council needs to confirm the position. We haven't voted to authorize the position. Mr. Rucker moves to authorize the position, Ms. Pine seconded. Four yeas

Ms. Carney skipped over first reading of Charter.

**1<sup>st</sup> Reading Ordinance 20-20**, An Ordinance Providing for Submitting the Question of Adopting the Proposed Municipal Charter to the Electors.

Ms. Pine thank committee members for service and time. Approach March election help get those educational materials out to our residents. Mr. Rucker needs to applaud as well. Ms. McGlaughlin thanks council for the opportunity.

Ms. Carney asked about meeting hybrid for work session? Mr. Rucker no. Ms. Heineman no. Ms. Pine no. Ms. Carney maybe in the future. Veterans day will not be a problem for work session, since the Village is no longer a holiday.

Meeting adjourned 7:42p.m.

Minutes submitted by Heidi Baldwin, Administrative Assistant, there are missing words due to internet issues, please see question marks throughout minutes.