



**SEPTEMBER 1, 2021 SPECIAL MEETING MINUTES
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, L. Giaimo

Call to Order: Pledge of Allegiance

Mayor Carney called the meeting to order at 6:30pm.

Approvals: Meeting Agenda – September 1, 2021 Special Meeting Agenda
Mr. Reed motioned to approve, seconded by Ms. Pine. All in favor.

Meeting Minutes – August 23, 2021 Council Meeting
Mr. Reed motioned to approve, seconded by Ms. Pine. All in favor.

New Business:

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

Executive Session: Pursuant to Ohio Revised Code Section 121.22 G (3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

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

1st Reading: Resolution 32-2021: A Resolution Authorizing and Directing the Village Administrator to Execute a Findings and Orders Agreement with the Ohio Environmental Protection Agency (Request Waiver to 2nd Reading)

Mr. Rucker motioned to approve Resolution 32-2021, seconded by Ms. Pine. All in favor.

Work Session Discussion Items:

- Noise Ordinance

Mr. Terry asked how Council would like to proceed on moving forward with the noise ordinance updates. There are several options, including adding the decibel requirements into the ordinance. Mr. Reed noted that he would rather use if the noises were “plainly audible” rather than decibel levels, as the ordinance currently states. Mr. Rucker disagrees because the current ordinance is not working. A decibel reader would give the police officers an evidence-based way to demonstrate that the ordinance was in violation. There was further discussion on types of situations that could be affected by the ordinance.

Mr. Terry noted that the Solicitor has presented Council with options. The majority of Council agreed that decibel readings should be added into the ordinance. The Solicitor will move forward with this option, and will further define time limits in the ordinance, based on different types of events where the noise is coming from. The new version will represent the current environment of Plain City.

- Design Review Board Ordinance Amendment

The first amendment is to change the timeline. Mr. Rucker noted that this allows the board to have more time to review applications.

The second issue is the appeal process. The changes proposed will define Council’s roles in appeals, and confine Council to the record of proceeding. This language will clarify the purpose of appeals.

Mr. Reed and Mr. Terry questioned the “use of discretion” language and would like further clarification. The current language, as written, gives Council the discretion to determine whether an error in process was made. The “record of proceedings” language was determined to be the meeting documents, audio or video recording, and the meeting minutes. Mr. Reed would also like the language about overturning a decision to be clarified – the Solicitor confirmed that Council can decide what the end decision is once the hearing has concluded. The language can be added or clarified within the ordinance. Additionally, “and/or” will be added and Union County will be removed from the building official language. The ordinance changes will be brought to Council on September 13 and the version can be amended through a motion and vote.

- Personnel Board of Appeals

Mayor Carney hopes to have everyone for the board nominations by the Council meeting on September 13.

- Uptown Parking Lot and Uptown Streetscape Projects Update

Mr. Cahall provided an update on these two projects. Milling will start soon, and storm sewer work will follow after Labor Day. This should take two to three weeks and asphalt will be laid the first week of October. Brick pavers and landscaping should be installed by late October. We are hoping to have the parking lot project done before Halloween. The Streetscape project has been awarded and there should be a pre-construction meeting next week. The Village hopes to have this project on a similar timeline.

Mr. Terry asked to see a full plan for the streetscape project and the Village may want to distribute this to area businesses and residents. Mayor Carney asked about a potential walking tour of Uptown again to help determine next steps in the streetscape plans. She would like Council to meet prior to an upcoming Council meeting. Per Mr. Cahall, Council will also need to decide on which section they'd like to complete on the sidewalks next.

Staff will work on putting sidewalk drawings on the website or a story map.

- Public Works Building

Staff is looking at the budget for the construction of the public works building. Currently, staff is considering a design-build arrangement because the project is not expected to be too complex. This type of procurement may be a better option money and time wise. The plan is to have the RFQ/RFP process before the end of the year and have a contract ready to approve at the beginning of 2022. Mr. Reed asked about the future plans of the land. Mr. Cahall hopes to build the storage building and then have the ability to expand as needed in the future.

Mr. Cahall was asked if the land needed to be rezoned for the garage purposes. Mr. Cahall responded that it is currently not required but could potentially be taken care of in the zoning code rewrite.

- CIP/Personnel & Finance Committees Merger

Per Mr. Reed, the joint committee has met and decided to recommend a merger of the two committees. The Rules Committee still needs a chairperson and Ms. Giaimo has agreed to chair this committee. There will be a motion requested at the Council meeting on September 13 for the merger. There was some further discussion about types of motions that can be made at special council meetings vs. work sessions.

Mayor Carney asked if three council members on one committee is ok – the Solicitor confirmed that this setup is fine, as long as there are not four members.

- Solicitation Permits

Mr. Terry does not want to completely ban solicitation because it would have impacts on group not intended to be impacted. The solicitor confirmed that it must be an all or nothing approach. Mr. Cahall brought up similar issues in other communities that there can be a permit process, or an opt-out process for solicitation. However, this could still affect groups like Girl Scouts or non-profits. Chief McKee added that there is a no-knock list currently and it is given to everyone who applies for a solicitation permit. Addresses do not fall off the list without being requested.

Council does not want to pursue the no solicitation changes further. Chief McKee suggested modifying the ordinance to modify where insurance agents can go door to door. Mr. Terry encouraged the police department to continue to modernize the ordinance, as needed. Further discussion was had about political petitions and trespassing.

- Compensation Plan Update/ 2022 Budget

Staff is currently working on the plan. The CIP/P&F committee received the document last week, but it is not ready for full discussion quite yet. Staff hopes to have the updated versions to the committee next week. The compensation plan update will go hand in hand with the 2022 budget.

The draft documents will be sent in a dropbox to Council soon, for the full review.

- Sustainable2050

MORPC is asking members communities to be part of an initiative called "Sustainable2050". There are not any specific requirements, but it is more dedicated to public recognition and some goals and targets to work towards. Some goals are not applicable, but some future items may be. These items could include electric vehicles, recycling expansion, preservation of green space, etc. This is a passive acknowledgement and does not cost money. Mr. Rucker has been underwhelmed with MORPC's involvement in Madison County, but Council agreed that this may be a way to get more involved in the organization.

Ms. Brill is currently the Village's representative to MORPC and hopes to get the Village more of a seat at the table. The sample resolution was included in the Council packet. Mayor Carney added that the Explore the Darby event last week was very supported, and residents are looking for more of an education about conservation. The main commitment is attending quarterly meetings.

Mr. Terry moved to enter Executive Session, seconded by Ms. Giaimo. All in favor.

Executive Session: Pursuant to Ohio Revised Code Section 121.22 G (8) To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development

assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance.

Adjourn