



COUNCIL MINUTES

June 26, 2023 at 6:30 PM

Council Chambers

Mayor: Jody Carney **Administrator:** Haley Lupton
Police Chief: Dale McKee **Director of Finance:** Renee' Sonnett
Director of Law: Paul-Michael La Fayette
Council Members: President J. Sintz, M. Terry, J. Eudaily, K. Ferguson, F. Reed, J. Rucker

Call to Order:

Mayor Carney called the meeting to order at 6:30pm, followed by the Pledge of Allegiance.

Present: J. Carney, J. Sintz, M. Terry, J. Eudaily, K. Ferguson, F. Reed, and J. Rucker.

Absent: None.

Approvals:

Agenda: Council Meeting – June 26, 2023

Mayor Carney, hearing no objections from Council, approved the June 26, 2023 agenda.

Minutes: Council Meeting – June 12, 2023

Mr. Sintz motioned to approve the June 12, 2023 minutes, seconded by Ms. Ferguson. Four yeas and two abstentions from Mr. Terry and Mr. Rucker.

Proclamation: None.

Visitors:

Ms. Holly Rast with the Union County Health Department introduced herself and thanked Council for the opportunity to speak. She stated that she is available as a representative to the

Village of Plain City to assist wherever possible on matters as it relates to the Union County Health Department and provided several updates in regards to concerns and comments she has received from Village residents. Her communication included updates in regards to the North Avenue apartments and that the owner is required to spray to remove the cockroaches. Additionally, the Red Hen restaurant was recently evaluated and scored excellently on its health code adherence and procedures. Ms. Rast thanked Council for their time.

Mr. Darrin Lane introduced himself and stated that he is present tonight in regards to the CRA legislation that is on the agenda, Resolution 20-2023. He hopes that CRA's are still part of the Village's "toolbox" in regards to economic development and reiterated that he and his business partners are trying to help develop the Uptown area accordingly. Mr. Reed asked Mr. Lane if he thinks development in the Uptown area is discouraged. Mr. Lane responded that he feels it is exceptionally difficult to effectively engage in developing Uptown properties and businesses. He would like to see the overall process for Uptown development to become more streamlined and efficient.

Mr. Ronald Winn introduced himself and spoke in regards to the noise ordinance and recent discussions on the topic. He noted that any equipment the Village may purchase to undertake noise level readings will need to be calibrated and checked on a regular basis to ensure accurate readings. He is not confident that a noise level standard would be an effective solution to the current noise issues in the Uptown and stated that weather, location, and other factors would affect noise level readings, potentially rendering those readings inaccurate. He advocated that Council research other solutions to the issue.

Mr. Eric Medici addressed Council and stated that he is also concerned about the noise ordinance issue and stated that one of the applications being reviewed by the Design Review Board this week includes installing "roll-up" style doors on an Uptown building. Mr. Medici is concerned that, in accompaniment with other Uptown businesses, the noise levels emanating from those buildings will be unbearable and render he and his neighbors unable to effectively conduct business. Mr. Medici also stated that he believes the painted sign at 160 W Main Street is illegal and prohibited since, to his knowledge, it did not go through the Design Review Board review process or zoning approval.

Mr. Ron Gurth introduced himself and spoke about the campground length of stay legislation that is on tonight's agenda. He stated that he and his wife stay in an RV full time, with half the year spent in Pastime Park and the other half in Arizona. He stated that, in his experience, it is not uncommon for municipalities to operate its own campground and he has stayed at several throughout the country. Additionally, as a camp host for Pastime Park, he strongly believes that it is a well-maintained and excellent campground with minimal issues. Mr. Gurth cited several reasons as to why people travel to and stay at Pastime Park and noted that it is only one of eight campgrounds in the immediate Columbus area. He thanked Council for their time.

Reports:

- Mayor: Mayor Carney addressed the several tragic events that have occurred in the Village over the past two weeks and stated that the viewing and funeral arrangements for Madison Baby Doe was excellently organized and well attended. She thanked the Plain City Police Department and Pleasant Valley Fire Department for their event

organization and assistance during this time. Mayor Carney thanked Local Waste Services and its employees for the alertness and quickness in contacting first responders during the event. She specifically thanked Chief McKee for his tenacity and promptness in organizing the funeral arrangements. Lastly, Mayor Carney thanked the Fire Department and Police Department for their assistance with the Safety Town program.

- Finance Director: Nothing to report.
- Police Chief: Chief McKee thanked the Mayor for her kind words. He stated that Sergeant Howard has been selected to attend the Police Executive Leadership course, which is mandatory for new sergeants. The Police Department has received a scholarship that will pay for half of the course tuition. Chief McKee expressed his condolences in regards to the passing of K9 Officer Andor and provided the details for the funeral arrangements on July 1, 2023.
- Village Administrator: Ms. Lupton stated that the streetscape project is nearing completion and, with the exception of a few minor closeout items, will be done before the 4th of July festivities. She noted that the 4th of July parade will begin at 10:00am and fireworks will begin at 9:45pm on July 4. Lastly, Ms. Lupton also thanked Chief McKee for his leadership throughout the recent tragedies.
- Council President: Mr. Sintz stated that the Village Administrator annual evaluation is nearing completion.
- Law Director: Nothing to report.
- Communications and Marketing Advisory Committee: Nothing to report.
- Board of Zoning Appeals: Nothing to report.
- Planning & Zoning Commission: Next meeting is July 19, 2023 at 6:30pm. Mayor Carney reminded those in attendance that Planning & Zoning Commission members are invited to attend the joint work session with Council on July 5, 2023 at 6:30pm.
- Parks & Recreation Committee: Next meeting is July 11, 2023 at 6:30pm. Mr. Reed thanked several additional organizations for their involvement in the funeral arrangements for Madison Baby Doe and noted that it was an exceptional community effort and response to the tragic event. The recent Music in the Park event was successful and well attended despite the potential for inclement weather. There will not be a Music in the Park event on July 2, 2023 due to its proximity to the 4th of July events.
- Tree Commission: Next meeting is June 27, 2023 and the Commission will be reviewing several housekeeping items.
- Personnel & Finance/CIP Committee: Next meeting is June 28, 2023 at 6:30pm and the Committee will be reviewing the General Fund Reserve policy as well as other organizational assessments and policies.
- Fire Board: Next meeting is July 6, 2023.
- Design Review Board: Next meeting is June 28, 2023 at 6:30pm and the Board will be reviewing two applications.
- Economic Development Committee: Next meeting is June 27, 2023 at 11:00am.

Public Hearing: PZ-23-1: 0 Lafayette Plain City Road (Parcels #02-00357.003 and #02-00167.000); Rezoning of 112.82 +/- acres along the west side of Lafayette Plain City Road, approximately 0.25 miles south of the intersection of Perry Pike and Lafayette Plain City Road,

from Darby Township Agricultural District ("A1") to Planned Residential District ("PRD");
Applicant: Wilcox Communities

Public hearing opened at 7:03pm.

After receiving no public comment, the public hearing for rezoning application PZ-23-1, closed at 7:04pm.

Public Hearing: PZ-23-3: 0 US-42 (Parcel #04-00777.000); Rezoning of 11.66+/- acres along the west side of US-42, north of Perry Pike, from Community Business District ("B2") to Planned Commercial District ("PCD"); Applicant: William Pizzino

Public hearing opened at 7:04pm.

After receiving no public comment, the public hearing for rezoning application PZ-23-3, closed at 7:04pm.

Discussion Items:

Campground Length of Stay:

Ms. Lupton provided several details about the discussion topic and explained that the Parks and Recreation Committee has formally recommended a stay limit of six months per calendar year. If the length of stay limit is approved, the updated campground rules and terms of service will follow shortly.

Mr. Sintz noted that, per his notes, Council discussed this topic on January 27, 2023 and majority of Council agreed that a shorter timeframe of three months or five months would be preferable. He inquired why the change from that timeframe to the currently proposed six months occurred and if there is data available to support the new proposal. Ms. Lupton responded that the previous software did not have the ability to track and record that type of data but that the Parks and Recreation Committee thoroughly discussed the topic and strongly feels that six months is the most reasonable and beneficial timeframe. Ms. Linda Granger, the Parks and Recreation Director, affirmed that the Committee was firm in advocating for a six-month limit. The Committee discussed several different aspects, such as revenue, safety, campground aesthetics, and others, during its deliberations. She noted that the proposed limit would be for a maximum stay of six months per twelve months, not calendar year. Additionally, the newly implemented campground reservation software will now permit staff the ability to automatically "lock-out" people who have reached their length of stay limit and for staff to prohibit certain users from making reservations. This would be beneficial if someone has violated the terms of service of the campground and are not permitted to stay at Pastime Park. Ms. Granger noted that staff is working with legal counsel and the Police Department to determine the logistics of that as well. Overall, the Parks and Recreation Committee understands Council's preference for a shorter length of stay but has formally recommended a six-month limit. Lastly, the new length of stay limit, if approved, would go into effect January 1, 2024.

Mr. Reed stated that Ms. Granger had compiled a detailed memorandum of the discussion that took place at the most recent Parks and Recreation Committee meeting and advised that staff distribute it to Council members before the next meeting. He believes that the discussion was excellent and covered all concerns and he fully supports the Committee's recommendation of a six-month limit.

Community Reinvestment Area (CRA):

Ms. Lupton provided several details about the CRA discussion topic and introduced Mr. Jason Stanford, Development Manager, and stated that he is available to answer any questions from Council.

Mr. Terry stated that, in the future, he would prefer that policies be implemented so that CRA applications are not handled on an "ad hoc" basis. He acknowledged that staff is currently working on formulating a policy to guide the process and understands that it will be implemented as quickly as possible. He believes that CRA's are still needed for developing the Uptown area and believes it is a necessary tool for the economic development "toolbox". He provided several examples of recently approved CRA's and how they benefit the Village and local businesses. Mr. Terry acknowledged that there will be changes in the future to accommodate additional development as it occurs but believes that the CRA application on tonight's agenda is excellent in its current form.

Mr. Eudaily noted his concern in regards to the execution and logistics in the difference of numbers for the current CRA when compared to the previous application. He is also concerned that it was not reviewed by the Jonathan Alder School Board, as is usually done with CRA applications. Mr. Terry responded that the School Board review process is in place for certain procedures and that this application did not meet the threshold needed for the School Board review process. He reminded Council that it is because of this topic that the recent Housing Council and Tax Incentive Review Council have been implemented, to review and process CRA's. Mr. Stanford added that representatives of the school district will be present on both boards. Additional community representatives will also be required to serve. Mr. Terry reiterated his belief that this particular CRA will be beneficial to developing the Uptown.

Mr. Reed asked for confirmation if the School Board countered the original application with a 50% proposal and not 100%. Mr. Stanford stated that is true that the School Board did counter with 50%. Mr. Reed stated that it is his belief that the key applicable elements for approval are not present in this application and cited examples from the Ohio Revised Code as to why that would be true. Specifically, the Ohio Revised Code requires that a particular property experience discouragement in regards to development and Mr. Reed believes that tonight's CRA application does not meet that requirement. Therefore, Mr. Reed advocates that this CRA be denied.

Mr. Stanford inquired if he is permitted to respond to Mr. Reed's comments. The Mayor and several Council members stated that he is allowed but Mr. Reed objected, stating that Mr. Stanford is not inherently permitted to speak per the Plain City Charter.

Mr. Terry motioned to permit Mr. Stanford to speak, seconded by Mr. Rucker. All in favor.

Mr. Stanford thanked Council for the opportunity to speak. He noted that he tries to work diligently with local area business owners to ensure their success and proper development. He stated that there are several extensive requirements that businesses need to meet before they are permitted to open and operate. Many of those requirements are expensive, such as rising construction costs, and pose serious challenges to Uptown businesses. Mr. Stanford encouraged Council to speak with their colleagues in surrounding communities and stated that he is confident they will see similar strategies and tactics taking place in those communities with great success.

Mr. Reed asked Mr. Stanford if he believes development is discouraged in the Uptown. Mr. Stanford responded that he believes it is discouraged, as evidenced by discussions such as what is taking place tonight. Mr. Reed does not agree with Mr. Stanford's opinion that development is discouraged in the Uptown area. The Mayor stated that this discussion topic has been deliberated thoroughly and that Council will be moving on to the next agenda item.

Old Business:

2nd Reading Ordinance 08-2023: Accepting the Annexation Petition of 122.468 +/- Acres from Darby Township, Madison County, Ohio to the Village of Plain City, Ohio

Mr. Terry motioned to approve Ordinance 08-2023, seconded by Mr. Sintz. All in favor.

2nd Reading Ordinance 09-2023: Rezoning 0.92 +/- Acres at 354 North Chillicothe Street and 360 N Chillicothe Street, Parcels #18-0001164.0000, #18-0001165.0000, #18-0001166.0000, from Neighborhood Business District ("B1") to Community Business District ("B2")

Mr. Sintz motioned to approve Ordinance 09-2023, seconded by Mr. Eudaily. All in favor.

2nd Reading Ordinance 10-2023: Authorizing the Village Administrator to Award the Village of Plain City Community Repaving Project to CAP – Stone & Associates

Mr. Eudaily motioned to approve Ordinance 10-2023, seconded by Ms. Ferguson. All in favor.

2nd Reading Resolution 20-2023: Authorizing the Execution of a CRA for 251 W Main Street

Mr. Terry motioned to approve Resolution 20-2023, seconded by Mr. Sintz. Five years and one day from Mr. Reed.

2nd Reading Resolution 21-2023: A Resolution Replacing Resolution 08-2021 and Authorizing the Village Administrator to Apply for, Accept, And Enter into a Water Pollution Control Loan Fund (WPCLF) Agreement on Behalf of the Village of Plain City for Construction of a Wastewater Facility; and Designating a Dedicated Repayment Source for the Loan

Mr. Sintz motioned to approve Resolution 21-2023, seconded by Ms. Ferguson. All in favor.

New Business:

Motion: Approving the Community Grant Application Request from the Steam Threshers Organization

Mr. Terry motioned to approve the Community Grant Application request from the Steam Threshers Organization, seconded by Ms. Ferguson.

Mr. Reed stated that he would prefer this topic is reviewed by the Parks and Recreation Committee and that a formal recommendation be made before Council votes on it. The Mayor noted that the Rock the Clock application approved by Council at its most recent meeting was not required to be reviewed by the Parks and Recreation Committee.

Mr. Reed stated that the \$5,000 grant request and other necessary items constitute a modification of the Steam Threshers – Plain City contract and therefore this request should be reviewed by the Parks and Recreation Committee. Mr. Reed also believes that there are several performance issues that need discussed at the Committee level as well. Mr. Terry stated that there is a potential timeframe issue if this topic is reviewed by the Committee, given that there are several deadlines approaching. Mr. Reed disagrees.

Mr. Reed reiterated that he believes there are several performance issues that need addressed before a grant request such as this can be voted on. Mr. Terry stated that he prefers these types of concerns are addressed at the Committee level before the topic comes before Council.

Mr. Eudaily reminded Council members that the application for community grant funding exists for organizations to seek financial assistance and that is exactly what this applicant is doing. He believes that applications should not be reviewed based on potential contractual issues and that would be a separate topic. Mr. Sintz agrees with Mr. Eudaily's comments.

Mr. La Fayette, Village Solicitor, stated that any potential contractual performance issues should be brought to his attention and they will be addressed accordingly. Mr. Reed believes that these types of issues are better handled without attorneys.

The Mayor reminded Mr. Reed and Council that a motion and second has been made and that roll call must be completed.

Mr. Dreier stated that his records show Mr. Terry making the motion and Ms. Ferguson seconded. Upon roll call, five yeas were received and one nay from Mr. Reed.

1st Reading Ordinance 11-2023: Rezoning of 112.82 +/- Acres at 0 Lafayette Plain City Road, Parcels #02-00357.003 and #02-00167.000, from Darby Township Agricultural District ("A1") to Planned Residential District ("PRD")

1st Reading Ordinance 12-2023: Rezoning of 11.66 +/- Acres at 0 US-42, Parcel #04-00777.000, from Community Business District ("B2") to Planned Commercial District ("PCD")

1st Reading Ordinance 13-2023: Authorizing the Sale of Municipally Owned Personal Property
Not Needed for Public Use

1st Reading Ordinance 14-2023: Authorizing the Village Administrator to Award the Village of
Plain City Wastewater Treatment Plant Expansion Project to Kirk Bros. Co., Inc

1st Reading Resolution 22-2023: Authorizing a Pre-Annexation Agreement with PC 161
Holdings, LLC

1st Reading Resolution 23-2023: Amending the Length of Stay Policy for the Pastime Park
Campground

Executive Session: Pursuant to Ohio Revised Code Section 121.22(G)(8): To consider
confidential information related to negotiations with other political subdivisions.

Mr. Sintz motioned to enter Executive Session at 7:49pm, seconded by Mr. Eudaily. All in favor.

Mr. Sintz motioned to exit Executive Session at 8:06pm, seconded by Ms. Ferguson. All in
favor.

Adjourn:

Mr. Terry motioned to adjourn, seconded by Mr. Sintz. Meeting adjourned at 8:07pm.