



COUNCIL MINUTES May 8, 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, M. Terry, J. Eudaily, K. Ferguson, F. Reed, and J. Rucker.

Absent: J. Sintz.

Approvals:

Agenda: Council Meeting – May 8, 2023

Mayor Carney, hearing no objections from Council, approved the May 8, 2023 agenda.

Minutes: Council Work Session – May 3, 2023

Mr. Terry motioned to approve the May 3, 2023 minutes, seconded by Ms. Ferguson. Four yeas and one abstention from Mr. Rucker.

Proclamation: Barry and Judy Thomas

Mayor Carney presented the proclamation to Mr. and Mrs. Thomas thanking them for their continuous and dedicated service and volunteerism to the Village Parks and Recreation Department and its residents. Ms. Linda Granger, Director of Parks and Recreation, and Mr. Denton Kitts, Parks and Recreation Assistant, were present and thanked Mr. and Mrs. Thomas for their years of support and service.

Visitors:

Ms. Stephanie Syfert introduced herself and thanked Council for their time. She said that she is concerned with the current noise ordinance and believes that it is time for a revision of the noise ordinance. She referenced the recently dismissed court case in which the noise ordinance was deemed to be broad and vague and therefore unenforceable. She also believes that The Grainery, located in the Uptown area, is no longer a restaurant given the number of live music events that occur at the location. She stated that, due to the number of live entertainment events, the establishment should be considered a concert venue or entertainment area, which is not a permissible use in the Uptown Historic District. Ms. Syfert advocated for limiting music in the Uptown area to acoustic only.

Ms. Syfert also thanked Council for their recent discussion on long-term camping at Pastime Park and agreed with Mayor Carney's and Mr. Terry's comments about "safety trumps revenue" and that year-round camping should be eliminated. She encouraged Council to use that same perspective when considering the current use of The Grainery in which she believes it is no longer serving its intended or original use and is becoming a concert venue.

Ms. Syfert encouraged Council to consider revising the noise ordinance to clearly define the parameters and requirements as well as make it easier to interpret. She advocated for implementing stipulations that would prohibit music amplifiers and asked Council to add this topic to their next work session agenda. Council thanked Ms. Syfert for her comments and stated that, at the prior request of Chief McKee, this topic has been added to the next work session agenda.

Mr. Mike Syfert introduced himself and said that he agrees with Ms. Syfert's comments. He thanked Council for adding this topic to their next work session agenda. He reiterated that the recent court case against The Grainery was dismissed due to the code being too open-ended and unclear. Mr. Syfert also believes that the current noise levels emanating from The Grainery are excessive in nature and therefore constitute a public nuisance which should be addressed accordingly. He noted that every police officer who has responded to their noise complaints have agreed with residents that the music is too loud and understand why such a complaint would be filed. Mr. Syfert encouraged Council to modify the noise ordinance such that it would be enforceable by the Police Department and in court.

Reports:

- Mayor: Mayor Carney recently participated in the National Day of Prayer with several local churches. Also, this past weekend was the opening day for PCABA with over 500 youth registering for teams. The day was very successful and had significant participation. Mayor Carney presented proclamations to three residents during the opening day festivities thanking them for their years of service to PCABA.
- Finance Director: Ms. Sonnett stated that she will be out of the office this Wednesday through Friday for training.
- Police Chief: Chief McKee also participated in the National Day of Prayer and noted that it was well attended. Chief McKee stated that he and several officers will be participating in a memorial hosted by Union County to honor first responders who have died in the line of duty. He invited all Council members to attend.

- Village Administrator: Ms. Lupton said that the Uptown streetscape construction is progressing accordingly and thanked all business owners for their patience. She noted that major construction, tentatively, should be completed before July 4, 2023. Additionally, the newly hired Zoning Specialist will start on Monday, May 15, 2023. Lastly, staff recently had a meeting with ODOT representatives to discuss the US-42/West Avenue pedestrian improvement project and engineering options.
- Council President: Mayor Carney presented Mr. Sintz's updates on his behalf. Mayor Carney stated that the May dates for Coffee with Council and Friends have been posted on the Village website calendar. The next Council work session is scheduled for June 1, 2023.
- Law Director: Ms. Ashley Hetzel was present on behalf of Mr. La Fayette. Nothing to report.
- Marketing & Communications: Next meeting is May 16, 2023.
- BZA: Nothing to report.
- Planning & Zoning: Mayor Carney stated that the Commission recently held a work session and discussed the PUD section of the zoning code as well as maximum building height requirements for residential structures. The Commission provided suggestions to staff which will be incorporated and the draft document will be before Council as soon as possible. Next meeting is May 17, 2023.
- Parks & Recreation Committee: The inaugural Tree Commission meeting is May 9, 2023 at 5:30pm to be followed by the monthly Parks and Recreation Committee meeting at 6:30pm.
- Personnel & Finance/CIP: Nothing to report. Next meeting is May 17, 2023.
- Fire: On behalf of Mr. Sintz, Mayor Carney stated that the Fire Board expressed some concerns for the short timeline to prepare for the Uptown event on June 10, 2023. The Fire Department has interviewed several candidates for the vacant Captain position and have narrowed it down to three exceptionally qualified candidates. Lastly, a resolution was passed recently which enables the Fire Department to hire an additional full-time firefighter.
- Design Review Board: Next meeting is May 15, 2023 at 4:30pm.
- Economic Development Committee: The Committee met for the first time on April 25, 2023 and discussed the rules and regulations for the Committee. Staff will be incorporating several changes to the rules and regulations per the Committee's recommendations. The Committee plans to have an annexation guideline document before Council in the near future for their review and approval. Next meeting is May 23, 2023 at 11:00am.

Public Hearing: None.

Motion: None.

Old Business:

2nd Reading Resolution 12-2023: Accepting Public Improvements Constructed for Madison Meadows, Section One

Mr. Terry motioned to approve Resolution 12-2023, seconded by Ms. Ferguson. All in favor.

2nd Reading Resolution 13-2023: Accepting Public Improvements Constructed for Darby Station, Section 1, Parts 1 – 4

Mr. Terry motioned to approve Resolution 13-2023, seconded by Mr. Eudaily. All in favor.

2nd Reading Resolution 14-2023: Accepting the Roundabout Public Improvement Constructed for Darby Station

Mr. Terry motioned to approve Resolution 14-2023, seconded by Mr. Eudaily. Four yeas and one nay from Mr. Rucker.

2nd Reading Resolution 15-2023: Authorizing the Sale of Impounded Vehicles

Ms. Ferguson motioned to approve Resolution 15-2023, seconded by Mr. Terry. All in favor.

2nd Reading Resolution 16-2023: Authorizing the Village Administrator to Execute a Memorandum of Understanding with the Madison County Land Reutilization Corporation

Mr. Eudaily motioned to approve Resolution 16-2023, seconded by Mr. Terry. All in favor.

New Business:

1st Reading Resolution 17-2023: Adopting the Solid Waste Management Plan for the Allen-Champaign-Hardin-Madison-Shelby-Union Joint Solid Waste Management District

1st Reading Resolution 18-2023: Establishing the Village of Plain City Tax Incentive Review Council

Mr. Jason Stanford, the Development Manager, addressed Council and provided information on this proposed legislation as well as Resolution 19-2023. He stated that both of these resolutions would establish entities that would serve as useful tools for economic development in Plain City.

Mr. Stanford explained what a Tax Incentive Review Council (TIRC) is and how it would benefit the Village. He noted that this council would review tax incentive agreements to ensure compliance and collect data on a yearly basis and present those findings to Council. This would be done to ensure that tax abatements are in line with any applicable requirements and guidelines.

Mr. Stanford discussed the structure and membership requirements for both entities, noting that several of the representative positions are mandated by state law. The TIRC meets exclusively at the call of the chairperson who, in accordance with the Ohio Revised Code (ORC), is the County Auditor. The ORC does not have set term lengths for TIRC members and Mr. Stanford does not advocate implementing term lengths at this time. Mr. Stanford noted that potential Tax Increment Financing (TIF) agreements and Community Reinvestment Area

(CRA) agreements would still be reviewed by Council for final approval. Additionally, the TIRC would routinely review the guidelines and objectives of a TIF or CRA to ensure those goals are being met. Mr. Stanford clarified that his recommendation for the TIRC to exist in Madison County and not Union County is due to there not being any active tax abatement agreements in Union County. If tax abatements take place in Union County in the future, the Village would be able to partner with the existing TIRC in Union County.

Mr. Stanford said that the TIRC, if established, would review current CRA's and provide a recommendation to Council on any necessary action. Specifically, the CRA for The Grainery would be reviewed since 2023 is the first year it is able to be reviewed. Mr. Stanford stated that the TIRC would be involved in the establishment of future tax abatements in that they would provide recommendations to Council. All CRA and overall tax abatements would still be required to be reviewed and approved by Council. Mr. Stanford also noted that, currently CRA's are the only incentive option the Village has, but in the future TIF's and enterprise zones will also become options as the Village continues to grow.

Mr. Stanford described the differences between a Housing Council and a TIRC, noting that the Housing Council is required by state law. Currently, the Village fulfills this state requirement by partnering with the Madison County Housing Council. Establishing the Village's own council would bring those services in-house and streamline the overall process. He detailed the council structure and membership requirements and is advising a three-year term for all members after the initial staggered terms. Additionally, a Housing Officer is required to be appointed. Generally, that position is filled by the municipality's Economic Development Director.

Mr. Stanford reiterated that all of these steps are necessary to address current and future tax abatements. He directed Council to the chart included in the staff memorandum depicting the overall timeline and process for Plain City's incentive entities and policies. He stated that Council would retain the same authority and responsibility to review and approve any recommendations from either the TIRC or Housing Council. Lastly, Mr. Stanford stated that members can serve on both a TIRC and Housing Council.

1st Reading Resolution 19-2023: Establishing the Village of Plain City Community Reinvestment Area Housing Council and Appointing a Housing Officer

Discussion Items: None.

Adjourn:

Mr. Eudaily motioned to adjourn, seconded by Mr. Terry. Meeting adjourned at 7:16pm.