**REGULAR COUNCIL MEETING MINUTES**

**July 13, 2020**

**6:30 PM**

**Mayor:** Darrin Lane (Present) – **Fiscal Officer:** Renee’ Sonnett (Present) – **Solicitor:** Paul-Michael LaFayette (Present)

**Council Members:** J. Carney, S. Heineman, S. Pine, D. Lee, F. Reed, J. Rucker

**Call to Order:** Mayor Lane called the meeting to order at 6:30 PM followed by the Pledge of Allegiance.

Members present:J. Carney, S. Heineman, S. Pine, D. Lee, F. Reed, J. Rucker

**Approvals:**

Minutes – June 10, 2020 Work Session minutes

* Ms. Pine motioned, seconded by Mr. Lee to approve June 10, 2020 Work Session minutes. Six yea votes.

Minutes- June 22, 2020, Regular Council Meeting

* Ms. Pine motioned, seconded by Mr. Lee to approve June 22, 2020, Council minutes. submitted for correction for June 22, 2020. Six yea votes.

**Reports:**

* Mayor- The village has acquired 63 public parking spots and signs have been erected directing the public to the area. Mayor Lane thanked Council for doing an awesome job.

* Fiscal Officer- Nothing to report

* Police Chief- Nothing to report

* Village Administrator- The bid opening for the village-wide paving project is this week. The council should anticipate legislation either later this month or the first meeting in August. The Darby Fields pathway connector project will go out to bid at the end of the month.

* President Pro Team- Work session meeting was held on July 8, 2020. The committee discussed the former elementary crosswalk signage, personnel manual update, and impact fee verbiage. Please forward agenda topics for the August work session.
* Solicitor- Working with Village Administrator on creating Impact Fee ordinance, obtaining an easement for the walkway between Darby Fields and the elementary school, and various other zoning issues.
* Capital Improvements- Nothing to report
* BZA- The meeting is scheduled for July 21 at 6:30 to discuss a sign permit for the Shell station.
* Planning & Zoning- The planning meeting for July 15, 2020, was canceled due to a lack of business.

* Parks & Recreation- The meeting is scheduled for July 14, 2020, VIA Zoom. It was reported the pool will have adult swim hours before the normal business hours. Pool operations have been going smoothly. Campground revenue has been doing well even during the pandemic.
* Personnel & Finance-July meeting was canceled due to a lack of business.

* Fire- Nothing to report
* Design Review Board- The next meeting is scheduled for July 22, at 6:30 pm. The committee plans to discuss the building located at 132 N Chillicothe St.
* Charter Commission- Mr. LaFayette reported the meeting was held on July 2, 2020. The commission heard from village department heads (Mayor, Village Administrator, Police Chief, and Village Fiscal Officer). The next meeting is scheduled for July 17, 2020. The main topic is decided on the form of government the commission wishes to recommend. Starting in September the commission will begin meeting weekly.

**New Business:**

Ms. Pine motioned, seconded by Ms. Carney to approve the Final Development Plan #2 for Madison Meadows- Areas A&C. Six yea votes.

Ms. Carney motioned, seconded by Ms. Pine to approve the Final Development Plan Modification- Jefferson Village. Five yea votes with Mr. Rucker voting no.

1st Reading Ordinance 12-20, An Ordinance Authorizing the Village Administrator to Advertise and Accept Bids for the Village of Plain City Capital Improvement Project – Gay Street Reconstruction Project

Mr. Rucker motioned, seconded by Ms. Carney to waive the three readings for Ordinance 12-20. Five yea votes with Mr. Reed voting no.

Mr. Rucker motioned, seconded by Ms. Carney to approve Ordinance 12-20. Ms. Carney second the motion. Five yea votes with Mr. Reed voting no.

1st Reading Ordinance 13-20, An Ordinance Accepting a Multi-Use Trail Easement from the Jonathan Alder Local School District

* Village Administrator asks the council’s consideration to waive the 3-reading requirements so that we can receive the bid is a timely fashion. Mr. Reed had a concern about where the funds are coming from. Mr. Cahall ensures Mr. Reed that the funds to finance the project is coming from a restricted fund from MI homes.
* Mr. Lee motioned, seconded by Ms. Carney to waive the three readings for Ordinance 13-20. Six yea votes.
* Mr. Lee motioned, seconded by Ms. Carney to approve Ordinance 13-20. Six yea votes.

**Old Business:**

2nd Reading Ordinance 09-20, An Ordinance Adopting Chapter 910 to the Village of Plain City Municipal Code – Outdoor Seating and Non-Permanent Amenities

* Village Administrator provides the council with two versions of the amendments for Ordinance 09-20 to the council. Mr. Reed confirms that the proposed amendments that were provided to the council are the 2 provisions of the appeal process as well as the omitted language that Mr. Lee suggests in regards to 910.02 and 910.05 from Ordinance 09-20.
* Mr. Reed questions to have the Ordinance reset the reading due to the changes and adding the 2 provisions of the appeal process. Mr. LaFayette advises the council that even with the changes to the Ordinance 09-20 including the amendments ( appeal process and appeal fees) and the word changes to section 910.02 and 910.05, it’s a close call to have it to reset the reading of the Ordinance for approval. Mr. Reed motion to amend the Ordinance to add the provision for appeal. Ms. Pine is okay for the solicitor to read to council the appeal provision but feels that it is not necessary to reset the reading. Ms. Carney, Ms. Heienmene, and Mr. Rucker agree with Ms. Pine. Mr. LaFayette counting to read out loud the new section 910.10 (A and B) Appeal Process and 910.11 regarding appeal Fees. Mr. Lee shares a screen to show the council the omit words from section 910.02 and 910.05 (the omitted word “including”: 910.05 and adding “Improvements related”: 910.02).
* Mr. LaFayette advises the council to state the appeal cost within the ordinance. He asks the council to discuss the amount thou shall be in place. It should state the administration and advising costs. Mr. Lee states the appeal fees are under 1135.04. Mr. Reed shares his concern regarding the fees. Mr. Lee shares the figures state in 1135.04; BZA appeal fees are $300 and $30 for violations for zoning ordinance, this is to guide the council for future discussion regarding set figure for the appeal process for this ordinance. Mr. LaFayette advises the council to specify the actual dollar amount should be. Village Administrator will get with Ms. Sonnett to discuss the actual cost from advertising to administrative cost. Mr. Cahall will provide the information at the next meeting.
* Mr. Reed motion to amend Ordinance 09-20 to adopt the new two provisions to the ordinance that was present on July 13, 2020, Council meeting.
* **910.10 – Appeal.** Council shall hear and decide appeals by any person aggrieved by any decision of the Village Administrator and/or their designee where it is alleged that there is error in any final determination made by the Village Administrator and/or their designee in approving or denying an application under this chapter or in any decision of the Administrator and/or their designee on the provisions of this chapter provided that such appeal must be made within fourteen (14) days after receipt of notice of such final determination or decision.  Notice of such appeal shall be filed with the Administrator who will then forward the matter to Council for determination.
	+ Council shall hear and decide an appeal within thirty (30) days of receipt and shall consider the decision of the Administrator and/or their designee in making its determination.  A majority vote of the members of Council shall be required to overturn a decision of the Administrator and/or their designee.
* Mr. Reed motion to amend the 2nd reading of Ordinance 09-20. Mr. Lee second both motions. Six votes Yes

2nd Reading Ordinance 11-20, An Ordinance Providing for the Issuance and Sale of Unvoted General Obligation Notes in the Maximum Aggregate Amount of $1,450,000.00, in Anticipation of the Issuance of Bonds, for the Purpose of Paying the Costs of Various Municipal Public Improvement Projects

**Adjourn:** Mayor Lane motion to adjourn. Mr. Reed Second the motion, @7: 24 pm