

Regular Council

August 2,

21

The meeting was called to order at 7:30 p.m. Mayor Brian White presiding.

**ROLL CALL**

The following Village Council members were present: Bob Jarvis, Adam Gongwer, Wynn Kearns, Kim Little, Darrell Starr-Jude and Todd Wise.

Other officials present: Attorney John Studenmund, Chief Brett Pauley, and Administrator Andy Smallstey.

Others: Michael Mitchell of 410 Fox Road; Jeff O'Brien of 86 Holiday Hill; Keith Bacin of 419 Cedarwood Drive; Jay Frost of 62 Woodside Boulevard; David Badnell of 69 Woodside Boulevard; and David Morgenstern of 19 Delaware Street.

Motion by JARVIS to  
Excuse Council Member Getz.  
Seconded by GONGWER.  
Roll call. Yeas: 6; Nays: 0; Abstains: 0.  
Motion carried.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

Motion by LITTLE to approve the minutes  
of July 6, 2021 Regular Council Meeting.  
Seconded by WISE.  
Roll call. 6 Yeas: Nays: 0; Abstains: 0.  
Motion carried.

**FIXING TIME OF ADJOURNMENT**

Motion by JARVIS to set the time of adjournment  
For 8:30 p.m. Seconded by LITTLE.  
Roll call. Yeas: 6; Nays: 0; Abstains: 0.  
Motion carried.

**COMMUNICATIONS FROM CITIZENS**

Mayor White requested any Village resident wishing to address Council concerning Council business to please stand, state their name and address for the record, and their purpose for attending Council:

Mr. David Badnell of 69 Woodside Boulevard requested Council to review placing an Ordinance allowing golf carts on Village streets. Mr. Badnell commended the police department for offering advice to golf cart riders instead of issuing a ticket.

Mr. Jay Frost of 62 Woodside Boulevard also requested an Ordinance allowing golf carts on Village streets.

Councilman Starr-Jude told the residents the golf cart proposal to make it legal on streets of Lexington was first proposed in May of 2019. When it was only for one resident phone call, the proposal died in committee. Rules and Personnel Committee will

meet at 6:00 p.m. September 7, 2021. Both residents were encouraged to attend. Councilman Kearns advised the Committee will follow rules mandated by Ohio Revised Code.

Mr. Keith Bacin of 419 Cedarwood Drive thanked Mr. Smallstey for the left turn arrow on Herbert Place. Mr. Bacin said the signage is getting out of control again. The problem crops up every so often and the Administration needs to be more diligent about removal of the illegally posted signs and not be selective. Mr. Bacin pointed out examples of current illegally placed signs throughout the Village. Mr. Bacin told of shipping container brought in years ago and still sits on property on Mohican Trail extension. Mr. Smallstey replied the property with the container is not in the Village limits. Discussion was held regarding shipping containers versus sheds and decided that will be discussed at the Rules and Personnel meeting on September 7<sup>th</sup>.

**COMMITTEE REPORTS**

RULES AND PERSONNEL: Ordinance on tonight's agenda. Next meeting September 7<sup>th</sup> at 6:00 with two items on the agenda.

FINANCE: Bills from July are approved. Committee met before tonight's Council session.

SAFETY SERVICE: No report.

PUBLIC UTILITIES: No report but Councilman Kearns would like to schedule pre-budget meeting in September.

STREETS & SIDEWALKS: Paving on Mill Street started this week.

BUILDINGS & GROUNDS: Resolution regarding the Park Levy is on tonight's agenda.

**FINANCE REPORT**

As presented by Finance Director Jim Banks:

New account was created for General Funds. This will allow to sweep extra funds under this account and accrue more interest. All accounts have been reconciled and balanced.

Motion by LITTLE to accept  
Finance report.  
Seconded by STARR-JUDE.  
Roll call. Yeas: 6; Nays: 0; Abstains: 0.  
Motion carried.

**ADMINISTRATIVE DIRECTOR'S REPORT**

As reported by Administrator Andrew Smallstey:

1. Street resurfacing commenced today, one week after the proposed start date. Indications are that paving may begin on Wednesday and that the majority of the project will be completed at the end of the week. Roger and I met with Matt Luyster of Kokosing and added in the drive from South Mill Street back to the recycle bins and the area around the bins.

2. We have a transition in mosquito spraying since the departure of Matt Oswalt. Darrell Shepherd and Trevor Baker will both be acquiring their licenses within two weeks. The July 27<sup>th</sup> spray date was missed because of the transition.
3. The Parks Department has begun work on one pickle ball court at Bicentennial Park. Currently, they are crack sealing the court before spraying new court lines and installing the net. In addition, the stump removal project is complete at Bicentennial. Park crews have followed behind and seeded and applied straw for each stump.
3. I have a request for an outdoor vendor license in the former Cup & Cone parking lot. Brian Beller is considering leasing the building for restaurant space. He would like to place his small food trailer on the lot for sales while he completes minor renovations to the building. He will comply with not conducting sales more than three days consecutively, but I would like to ask Council for a motion to waive the rule of removing equipment each night since he is actually leasing the property in this case.

Motion by LITTLE to waive  
The rule of removing equipment nightly.  
Seconded by GONGWER.  
Roll call. Yeas: 6; Nays: 0; Abstains: 0.  
Motion carried.

4. After receiving plans for construction at the square, Reese Pyle Meyer was sent information for a Conditional Use Application for the Central Business District. Once the application is submitted, we will hold a Planning Commission meeting to discuss conditions and approval/disapproval of the application. Council President Jarvis asked if Commission will meet this month. Mr. Smallstey replied maybe.
5. Tom Argenio is resigning from Village about mid-August.
6. Income Tax revenue, as of May 12, 2021, is up \$203,000.00 from 2020.

Councilman Little complimented the newly painted hydrants; missed the bottoms of couple hydrants in Woodside allotment. Mr. Little asked why using Bellville Hardware store instead of Kell Hardware. Mr. Smallstey replied other hardware stores are used when Kell does not have the product.

Councilman Gongwer noted speed limit sign, near Bicentennial Park, has been spray painted. Mr. Smallstey said there was an incident a lot of Village property was spray painted.

### **MAYOR'S REPORT**

As reported by Mayor Brian White:

I attended Bird Sanctuary new treehouse reveal. It will also be handicapped accessible.

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I attend Chambers Executive meeting for discussion on infrastructure bill. Also had discussion on the Recovery Act money.

EMHT Safety study was completed for Lexington-Springmill, Hanley, and Cockley roads. They will have a report later; definite need of work since there is a lot of traffic going through that area.

All Council is invited to employee summer picnic at the Depot on August 13<sup>th</sup> at 11:30.

**POLICE CHIEF'S REPORT**

No report.

Councilman Kearns noted the speed limit sign appears to be working very well at the Steam Corners location. The Mayor has received a lot of positive feedback.

**PARLIAMENTARIAN'S REPORT**

As reported by Councilman Adam Gongwer:

Petitions for Council are due Wednesday August 4<sup>th</sup>.

Council meets next on Tuesday September 7<sup>th</sup> because of Labor Day. We returned to two meetings a month and business attire.

**ORDINANCES AND RESOLUTIONS**

Ordinance No. 21-19 by Mr. Starr-Jude

AN ORDINANCE JUNE 19<sup>TH</sup>, KNOWN AS JUNETEETH, ESTABLISHED AS AN OFFICIAL HOLIDAY AND ADDING TO THE VILLAGE PERSONNEL HANDBOOK (ARTICLE 29) AS ANOTHER PAID HOLIDAY.

Motion by STARR-JUDE to adopt.

Seconded by LITTLE.

DISCUSSION: NO DISCUSSION

Roll call. Yeas: 6; Nays: 0; Abstains: 0.

Motion carried.

Resolution No. 21-23 by Mrs. Getz

A RESOLUTION DETERMINING TO PROCEED WITH THE SUBMISSION TO THE ELECTORS OF THE VILLAGE OF LEXINGTON, OHIO, THE QUESTION OF LEVYING THE RENEWAL OF A TAX OF ONE MILL FOR PARKS AND RECREATIONAL PURPOSES PURSUANT TO R.C. 5705.03(B).

Motion by KEARNS to waive rules of Council

requiring that a Resolution comes from a

standing committee.

Seconded by LITTLE.

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Roll call. All yeas: 6 – 0.  
Motion carried.

Motion by KEARNS to waive rules of Council  
requiring that a Resolution is read on  
two separate occasions.  
Seconded by LITTLE.  
Roll call. All yeas: 6 – 0.  
Motion carried.

Motion by KEARNS to adopt.  
Seconded by LITTLE.

DISCUSSION: Not a new tax. This will be submitted Wednesday the 4<sup>th</sup> to the Board of  
Elections.

Roll call. Yeas: 6; Nays: 0; Abstains: 0.  
Motion carried.

**OLD BUSINESS**

No report.

**NEW BUSINESS**

Councilman Wise invited all Council Members, Planning Commission Members,  
and Department Heads to the next Steering Committee meeting on August 16<sup>th</sup> at 6:30  
p.m. at Lexington Senior Depot.

**MISCELLANEOUS**

No report.

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Motion by GONGWER to adjourn  
before the appointed hour.  
Seconded by KEARNS.  
Roll call. Yeas: 6; Nays: 0; Abstains: 0  
Motion carried.

**Meeting was adjourned at 8:15 p.m.**

Respectfully submitted,

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Brenda J. Wilson  
Clerk of Council

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Brian White  
Mayor