

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, Katie Getz, Adam Gongwer, Wynn Kearns, Kim Little, Jeff O'Brien, and Todd Wise.

Other officials present: Law Director John Studenmund, Police Chief Brett Pauley, Finance Director Jim Banks, and Village Administrator Andrew Smallstey.

Residents and others present: Michael Mitchell of 410 Fox Road, Keith Bacin of 419 Cedarwood Drive, Robert Heckathorn of 150 Sherwood Drive, Richard C. Watters of 89 Foxcroft Road, Kym Lamb representative of Mary Anne's Meats, Brenda Starr-Jude of 182 Foxcroft Road, Charles Comstock of 199 Essex Road, Bill & Cherri Vidonish of 20 East Main Street, and Christina Thompson of 71 Dartmouth.

Mayor White announced a decision will not be made tonight regarding Englefield Oil Gas Station. Council will need to review the Findings of Fact & the Conclusions of Law.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Motion by O'BRIEN to approve the minutes of June 6, 2022 Regular Council Meeting.

Seconded by LITTLE.

Roll call. Yeas: 7; Nays: 0; Abstain: 0.

Motion carried.

FIXING TIME OF ADJOURNMENT

Motion by JARVIS to set the time of adjournment for 8:30 p.m. Seconded by KEARNS.

Roll call. Yeas: 7; 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.

Keith Bacin of Cedarwood expressed gratitude for the Village's quick response time and clean-up efforts after the June storm.

Kym Lamb requested reduction for farmer's market vendor's fee. Village requests \$100.00 per vendor per set-up. Ms. Lamb is asking for \$100.00 for entire season. Farmer's Market will be held on Marianne's Meat Market property. Councilman Kearns thanked Ms. Lamb for her in-depth research but noted that background checks and fee demands help regulate vendors and not taking away profits from local businesses. No opinions were made.

COMMITTEE REPORTS

RULES AND PERSONNEL: No report.

FINANCE: May and June finances were reviewed and approved.

SAFETY SERVICE: No report.

PUBLIC UTILITIES: Ordinance on tonight's agenda.

STREETS & SIDEWALKS: Committee meeting July 12th at 5:30 p.m.

BUILDINGS & GROUNDS: Park Board June 8th minutes are approved. Discussion was held regarding rental fees for soccer fields.

Motion by GETZ rent soccer fields for \$50.00; same as baseball fields.

Seconded by O'BRIEN.

DISCUSSION: Councilman Gongwer asked why the addition in fees. Councilwoman Getz explained there was a sudden influx of private soccer day-camps and other soccer practices that were overlapping the soccer fields at Patriot Park.

Roll call. Yeas: 7; Nays: 0; Abstain: 0.

Motion carried.

FINANCE REPORT

As reported by Finance Director Jim Banks:

All accounts through May 31, 2022 have been reconciled.

Motion by LITTLE

to approve Finance report.

Seconded by WISE.

Roll call. Yeas: 7; Nays: 0; Abstain: 0.

Motion carried.

ADMINISTRATIVE DIRECTOR'S REPORT

As reported by Administrative Director Andrew Smallstey:

We received residential claim reimbursement from State Farm for sewer backup damage on Essex Road. This is the second occurrence for this resident and the same type of claim. The backup/slower flow is result of substance entering the main line from another private lateral. The reimbursement was denied by the Village insurance carrier.

Several areas in the Village were damaged due to the June 13th storm. One of the dugouts from Swigart Field was destroyed, one light pole and lights of Algire Field were damaged, several shingles from Algire Field's press box were eradicated, and roof damage to one of the pavilions in Bicentennial Park. I will be turning all reports into insurance for repairs/reimbursement. Thank you to all departments for working together to return the Village back to normalcy as quickly as possible. Storm debris pickup has been extended through July 15th.

2022 street resurfacing is completed. The invoiced amount was approximately \$30K under bid. The rest will be applied to the Orchard Park resurfacing project.

I had phone conference with Daryl Bowling from Suez Inc. and Michelle Hister from Poggemeyer for the water meter replacement project. Advertising and bids should be ready in August. We will be requesting funds from Ohio Water Development Authority rather than the EPA to keep the project advancing forward. There was very little difference in interest rates between the two entities.

ARCA Racing, Menards, and Mid-Ohio have joined together to host a fan-fest prior to the weekend race. Fest will start at 5:pm at Menards in Ontario. The race teams and transport trucks will assemble for parade at 7:pm traveling south on Lexington-Springmill to Hanley Road to US Route 42 through the Village and exit onto Steam Corners Road to the race tracks. Ontario and Lexington Police have joined the parade procession. We encourage everyone to line the streets and enjoy the parade as it passes through town.

Mr. Smallstey reported only \$19,000.00 of grant money will be given to resurface Patriot Park south parking lot. The Village has set aside \$27,000.00 for the paving project. ODNR original amount was \$109,000.00. Deadline is July 15th. Our choice is to keep and earmark the \$19,000.00 for 2023 park projects or apply the smaller amount of money and use towards the north parking lot of Patriot Park.

Motion by GETZ to spend Village money and ODNR

grant money, and pave the north parking lot of Patriot Park.

Seconded by O'BRIEN.

DISCUSSION: Council President Jarvis opting for keeping the funds and earmarking it with more focus on something to benefit the kids in 2023.

Roll call. Yeas: 6; Nays: 1 (Jarvis); Abstains: 0.

Motion carried.

Councilman Kearns asked for status on the meter project and if the proposed OWDA funding and if it was the same source now utilized for the water/sewer capital projects. Mr. Smallstey replied it is the same funding as now made through Water/Sewer

Department. Mr. Kearns said it will involve over 1,700 meters for residents and larger meters for the businesses.

Councilman Gongwer asked if notifications had been made to illegal storage containers. Attorney Studenmund said clarification on the status of the containers will be necessary. Councilman Wise asked if litigation is possible. Attorney Studenmund replied not permitted.

Councilman Little noted the following ongoing violations: flat-bed trailer at Subway, travel-trailer same lot, container trailer at Meade Construction Company, two separate businesses both with more than one storage shed, valve boxes protruding from sidewalks, tree roots uprooting numerous sidewalks throughout the Village, no Village of Lexington sign at entry of village, two large potholes on Main Street [residual of water break], silt fence down at High Ridge, and no sidewalks/post lights [all required] at three house condo unit at top of hill.

Councilman O'Brien asked who mows the right of way by NEXT Generation. Mr. Smallstey replied he had recently discovered that it is the Village's responsibility.

Councilman Little asked if the Village was mowing the old State Farm lot? Mr. Smallstey confirmed; adding that Mr. Meade refuses to mow. Mr. Little asked if Mr. Meade is being billed for the mowing; Mr. Smallstey said yes.

Councilwoman Getz asked about the tree in need of trimming located at West Main and Pembroke. Mr. Smallstey has sent a letter.

Mr. Smallstey noted the finances as of the end of June are right on target; all monies are accurate. Some line funds are over 50% due to debt service obligations. Councilman Kearns thanked Mr. Smallstey for this helpful finance report.

MAYOR'S REPORT

As reported by Mayor Brian White:

I attended Elk's Flag Ceremony on the square.

I attended Mayor's conference in Columbus June 8th and 9th and came away with many good ideas and opportunities.

For the NASCAR race we will be part of joint effort with Ontario for parade from Ontario to Lexington promoting the races. Councilman Kearns asked if more manpower will be needed for traffic control. Mayor White replied it will only be a drive through.

Thank you to Village staff for hard work during and after the power outage last month. I like to reiterate when utilities are out residents need to call their provider. We held a cooling center in Chambers for residents.

POLICE CHIEF'S REPORT

As reported by Chief Brett Pauley:

Chief Pauley, on the heels of social media comments, Mid-Ohio Race Track does not hire Village Police. They hire other law departments. Councilman Wise asked if that will be the continued practice; using other officers. Councilman Kearns suggested asking the owners about using Village Officers. Mayor White said he will make a telephone call.

Nothing to note about July 4th fireworks. Some residents were confused by the new law; nothing major.

With schools on summer break our officers are currently holding training sessions.

Councilman O'Brien asked about solar power speed limit sign for Orchard Park Road. Chief said it, and two others, will be installed in near future.

PARLIMENATARIAN REPORT

No report.

**Motion by JARVIS to extend
Time of adjournment to 9:00 p.m.
Seconded by KEARNS.
Roll call. Yeas: 7; Nays: 0; Abstains: 0.**

Motion carried.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 22-15 by Mr. Kearns

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2022 ENERGIZED COMMUNITY GRANT(S) FUNDS, AND DECLARING AN EMERGENCY.

Motion by KEARNS to waive rules of Council requiring that an Ordinance comes from a standing committee.

Seconded by GONGWER.

Roll call. Yeas: 7; Nays: 0; Abstains: 0.

Motion carried.

Motion by KEARNS to waive rules of Council requiring that an Ordinance is read on two separate occasions.

Seconded by GONGWER.

Roll call. Yeas: 7; Nays: 0; Abstains: 0.

Motion carried.

Motion by KEARNS to adopt.

Seconded by GONGWER.

DISCUSSION: Necessary to obtain grant money. Total \$9,800.00.

Roll call. Yeas: 7; Nays: 0; Abstains: 0.

Motion carried.

RESOLUTION NO. 22-16 by Mr. Little

A RESOLUTION ADOPTING THE TAX BUDGET FOR THE VILLAGE OF LEXINGTON FOR THE FISCAL YEAR 2023, AND DECLARING AN EMERGENCY.

Motion by LITTLE to waive rules of Council requiring that an Ordinance comes from a standing committee.

Seconded by KEARNS.

Roll call. Yeas: 7; Nays: 0; Abstains: 0.

Motion carried.

Motion by LITTLE to waive rules of Council requiring that an Ordinance is read on two separate occasions.

Seconded by KEARNS.

Roll call. Yeas: 7; Nays: 0; Abstains: 0.

Motion carried.

Motion by LITTLE to adopt.

Seconded by KEARNS.

DISCUSSION: NO DISCUSSION

Roll call. Yeas: 7; Nays: 0; Abstains: 0.

Motion carried.

ORDINANCE NO. 22-17 by Mr. Little

AN ORDINANCE AUTHORIZING ADMINISTRATIVE DIRECTOR ANDREW SMALLSTEY TO ADVERTISE FOR COMPETITIVE BIDS FOR TAX SOFTWARE, AND DECLARING AN EMERGENCY.

Motion by LITTLE to waive rules of Council requiring that an Ordinance comes from a standing committee.

Seconded by WISE.

Roll call. Yeas: 7; Nays: 0; Abstains: 0.

Motion carried.

Regular Council

July 5,

22

Motion by LITTLE to waive rules of Council
requiring that an Ordinance is read on
two separate occasions.

Seconded by WISE.

Roll call. Yeas: 7; Nays: 0; Abstains: 0.

Motion carried.

Motion by LITTLE to adopt.

Seconded by WISE.

DISCUSSION: NO DISCUSSION

Roll call. Yeas: 7; Nays: 0; Abstains: 0.

Motion carried.

OLD BUSINESS

No comments.

EXECUTIVE SESSION

Motion by JARVIS to adjourn to
Executive Session to discuss dismissal of public employee,
confer with Council regarding imminent court action, and
continued employment of public official.

Seconded by GONGWER.

Roll call. Yeas: 7; Nays: 0; Abstains: 0.

Motion carried.

Mayor White requested Attorney Studenmund and Administrator Smallstey to
also attend the Executive Session.

Council adjourned to Executive Session at 8:29 p.m.

Motion by JARVIS to reconvene
to Regular Council Session.

Seconded by LITTLE.

Roll call. Yeas: 7; Nays: 0; Abstains: 0.

Motion carried.

Council reconvened to Regular Session at 8:53 p.m.

**Motion by JARVIS to extend
Time of adjournment to 9:45 p.m.**

Seconded by KEARNS.

Roll call. Yeas: 7; Nays: 0; Abstains: 0.

Motion carried.

Motion by JARVIS to adjourn to
Executive Session to discuss dismissal of public employee,
confer with Council regarding imminent court action, and
continued employment of public official.

Seconded by O'BRIEN.

Roll call. Yeas: 7; Nays: 0; Abstains: 0.

Motion carried.

Council adjourned to Executive Session at 8:54 p.m.

Motion by JARVIS to reconvene
to Regular Council Session.
Seconded by GONGWER.
Roll call. Yeas: 7; Nays: 0; Abstains: 0.
Motion carried.

Council reconvened to Regular Session at 9:32 p.m.

NEW BUSINESS

No comment.

MISCELLANEOUS

Council President Jarvis read letter from Eagle Scout Patrick Bichel:

*Dear Lexington Village Council,
I first “wanna” start out by thanking you for allowing me the opportunity
to speak on behalf of my Eagle Scout Project back in September
of 2020. I also “wanna” thank you for paying half of the total cost for the
4 Maple tree’s. I lastly “wanna” thank you for everything. I know that
there is a lot more things that I can thank you for that I might be missing
but the Village has helped so much not just in Scouting but through my
childhood and I can’t thank you guys enough. If it wasn’t for the Village
and your Council, I don’t know where else I would’ve done my Eagle Scout
Project and who knows if I ever would have got so involved in scouting.
Thank you so much for everything.
Love, Patrick*

Motion by GONGWER to adjourn
before the appointed hour.
Seconded by KEARNS.
Roll call. Yeas: 7; Nays: 0; Abstains: 0
Motion carried.

Meeting was adjourned at 9:34 p.m.

Respectfully submitted,

Brenda J. Wilson
Clerk of Council

Brian White
Mayor