

Regular Council

September 7,

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, Katie Getz, 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; Keith Bacin of 419 Cedarwood Drive; Jay Frost of 62 Woodside Boulevard; and Robert Heckathorn of 150 Sherwood Drive

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Motion by GONGWER to approve the minutes of August 2, 2021 Regular Council Meeting.

Seconded by LITTLE.

Roll call. 6 Yeas: Nays: 0; Abstains: 1 [Getz].

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: No comments were heard.

COMMITTEE REPORTS

RULES AND PERSONNEL: Met before Council to discuss street legal golf carts and shipping container storage units. Attorney Studenmund will research both topics.

FINANCE: Bills from August are approved. An Ordinance is on tonight's agenda.

SAFETY SERVICE: No report.

PUBLIC UTILITIES: Meeting scheduled for September 20th at 6:00 p.m.

STREETS & SIDEWALKS: No report.

BUILDINGS & GROUNDS: Ordinance is on tonight's agenda.

FINANCE REPORT

Motion by LITTLE to approve

Finance Report. Seconded by GETZ.

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

Motion carried.

ADMINISTRATIVE DIRECTOR'S REPORT

As reported by Administrator Andrew Smallstey:

1. The Village property & liability insurance has come up for renewal again with the Hummel Group/Argonaut/Trident Insurance. Our premium will have a 5% increase for 2022, which seems to be the trend throughout the industry. I would like to ask for a motion from Council to renew with the Hummel Group for 2022.
Motion by LITTLE to renew
Hummel/Group/Argonaut/Trident Insurance.
Seconded by STARR-JUDE.
Roll call. Yeas: 7; Nays: 0; Abstains: 0.
Motion carried.
2. Village service departments have returned to full staffing as of last week. Chad Cook was hired in the Parks Department, local resident with experience and excellent dependability history. Tyler Roberts was hired in Water-Sewer to replace Tom Argenio. Tyler is also a local resident with a desire to make this a career position. Mr. Smallstey reports that he is happy to have a full department when many employers are facing labor shortage issues.
3. I have submitted an application for \$227,500.00 in grant money through the Water and Wastewater Grant Program that is being funded by the American Rescue Plan Act. This would cover the loan portion of the OPWC Water Distribution Line Improvement Project. There is a high probability of approval since the project is entering design phase.
4. We also received BWC grant funding for a trench box. We originally used funds for Well #7 emergency repairs, however by securing the grant, allowed us to move forward with the purchase of the trench box. Therefore, in the appropriations tonight, the grant money that was received is being moved into the budget.
5. Two multi-family units are being built by Meade Construction. Soil & Water will need to give their approval before building.
6. Big thank you to Keith Bacin for the raffle prizes and sundae supplies for staff picnic last month.

Councilman Little asked if Mill Street resurfacing is completed. Mr. Smallstey confirmed that it was complete. Mr. Little said the catch basins are four to six inches deep. That is too deep and will cause drivers to treat them as highway obstacles.

Councilman Kearns asked if plans are completed regarding water distribution Project for Delaware Street. Mr. Smallstey confirmed. Mr. Kearns asked if anyone is overseeing earthmoving at Woodside. Mayor White advised that he will address this development in his report. ~~is watching the ongoing project~~

Councilwoman Getz asked what happened to the flower brackets for street poles. Mr. Smallstey stated the owner came to town and after researching our poles he realized the error is on the business owners part and not the Village's. Mrs. Getz complimented all Parks employees for great festival work in the parks. Mr. Smallstey replied the employees put in 101 hours. Mrs. Getz asked about entry to Bicentennial Park and its need of repairs. Mr. Smallstey said it is on Mr. Ward's list of things to do. Mrs. Getz asked about the Pickle Ball court. Mr. Smallstey answered the court will be sealed shortly.

MAYOR'S REPORT

As reported by Mayor Brian White:

New census 2020 reported Lexington as 4,848 people. As a result we are still a Village. Mayor White noted other village such as Johnstown and Sunbury are now cities.

Getz Builders have started breaking ground for new homes to be developed above Woodside Court. The plan will follow the original site plan for Woodside Block H.

Councilman Kearns asked if the catch basins and storm sewers are functioning properly in the new allotment. Mr. Kearns noted there is no silt fencing installed. Councilman Little requested an updated soil & water study. Mayor White reported that the original site planning is valid.

Mr. Little pointed out that the square (Mead project) has no silt fencing installed.

Planning Commission will meet Wednesday September 15th at 6:00 p.m. at the Senior Depot. Councilman Little asked if crosswalk will be installed for new business. Mr. Smallstey replied Regional Planning has requested the study.

Nickel and Bean owner purchased the bank across the street at corner of Main and Mill Street.

MaryAnne's Meat Market sold to a couple, Chad and Dani Worth. I welcomed them personally to the Village. Councilman Little asked about the lot in front of the meat market (former Decker's Depot). Mayor White replied the submitted drawing for the lot is still not within budget. CIC is currently working on that.

Congratulations to 179th for preferred location for a new Air National Guard's first Cyber Warfare Wing. FAA is not leaving; they will be running the airport.

Blueberry Festival committee did a great job, thank you. Financially, it was OK.

Halloween Walk will be held October 23rd on the bike path from 11:00 a.m. till 6:00 p.m.

There will be no Halloween parade.

Trick or Treat is scheduled for October 31st from 2:00 p.m. until 4:00 p.m.

I sent condolences from the Village to Payton Jones' family. The police department is taking collection for Memorial Blanket.

I have Liquor license renewal request for Midwest Convenience INC, doing business as Rebel [Speedway].

Motion by LITTLE to not
Request hearing for Rebel Liquor
License renewal.

Seconded by STARR-JUDE.

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

Motion carried.

I see activity at the former Mexican Restaurant on East Main. Keith Basin of Cedarwood volunteered information that V & M Restaurant is moving in.

Candidate night for those running for Council will be October 28th at the High School. Kiwanis will be hosting the event.

POLICE CHIEF'S REPORT

As reported by Police Chief Brett Pauley:

Dispatcher Linda Souza will be going part-time as of September 19th. We are looking for replacement.

After reviewing the temporary speed sign on Steam Corners posted for races in July the following are the statistics:

Total count was 11,000 – 12,000 vehicles; highest speed recorded at 80mph, over 98% speed was less than 40mph.

No issues during the Blueberry Festival.

PARLIAMENTARIAN'S REPORT

No report

Motion by JARVIS to extend time
of adjournment to 8:45 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
personnel compensation.

Seconded by GONGWER.

Roll call. All yeas: 7-0.

Motion carried.

Council adjourned to Executive Session at 8:04 p.m.

Motion by JARVIS to reconvene
to Regular Council Session.

Seconded by GONGWER.

Roll call. All yeas: 7-0.

Motion carried.

Council reconvened to Regular Session at 8:25 p.m.

ORDINANCES AND RESOLUTIONS

Ordinance No. 21-24 by Mr. Little

AN ORDINANCE PROVIDING FOR PERMANENT BUDGET AMENDMENTS FOR
SEPTEMBER FOR AMERICAN RESCUE PLAN ACT, ADMINISTRATION, WATER,
SEWER, AND FINANCE FUNDS.

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

Seconded by STARR-JUDE.

Roll call. All yeas: 7-0.

Motion carried.

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

Seconded by GONGWER.

Roll call. All yeas: 7-0.

Motion carried.

Motion by LITTLE to adopt.

Seconded by GONGWER.

DISCUSSION: NO DISCUSSION

Regular Council

September 7,

21

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

Ordinance No. 21-25 by Mrs. Getz

AN ORDINANCE AMENDING CHAPTER 147 OF THE ADMINISTRATIVE CODE FOR THE PARK AND RECREATIONAL BOARD.

Motion by GETZ to waive rules of Council requiring that an Ordinance is read on two separate occasions.
Seconded by LITTLE.
Roll call. All yeas: 7-0.
Motion carried.

Motion by GETZ to adopt.
Seconded by LITTLE.

DISCUSSION: NO DISCUSSION

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

Resolution No. 21-26 by Mr. Jarvis

A RESOLUTION TO ACCEPT THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT, AND DECLARING AN EMERGENCY.

Motion by JARVIS to waive rules of Council requiring that a Resolution comes from a standing committee.
Seconded by LITTLE.
Roll call. All yeas: 7-0.
Motion carried.

Motion by JARVIS to waive rules of Council requiring that a Resolution is read on two separate occasions.
Seconded by LITTLE.
Roll call. All yeas: 7-0.
Motion carried.

Motion by JARVIS to adopt.
Seconded by LITTLE.

DISCUSSION: Attorney Studenmund explained Governor DeWine and State Attorney General David Yost announced proposed nationwide settlement to resolve all Opioids litigation brought by states and local political subdivisions against the three largest Pharmaceutical distributors: McKesson, Cardinal Health, and AmerisourceBergen [Distributors] and manufacturer Janssen Pharmaceuticals, Inc. and the parent company Johnson & Johnson. Attorney Studenmund said that by submitting this Resolution will

Regular Council

September 7,

21

allow the Village to be in line to get our share of funds. Councilman Kearns noted with all the additional service calls regarding overdoses, the Village deserves compensation. Attorney Studenmund informed Council he will be watching the outcome of this Resolution.

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

Motion by JARVIS to appoint
Murray & Murray as Legal Counsel
To represent the Village of Lexington
Regarding Resolution 21-26.
Seconded by STARR-JUDE.
Roll call. Yeas: 7; Nays: 0; Abstains: 0.
Motion carried.

OLD BUSINESS

No report.

NEW BUSINESS

No report.

MISCELLANEOUS

No report.

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 8:41 p.m.

Respectfully submitted,

Brenda J. Wilson
Clerk of Council

Brian White
Mayor