

London City Council

July 6, 2023

London City Council 20 S. Walnut Street, London, Ohio 43140 July 6, 2023 at 6:30pm Minutes

Call to Order

The Meeting was called to order by President Comer at 6:30pm. The Pledge of Allegiance was recited with a moment of Silent Reflection that followed.

Roll Call

Present - *Councilman Eades, Councilman Peters, Councilman Robinson, President Comer, Councilman Hays, Councilman Stahl*

Absent - *Councilman Hitt*

Minutes – Approval of June 15, 2023 minutes, approved by unanimous voice vote

Public Hearing - none

Communications/Announcements –

Jim Hilz, Pulte Group – Heath Property Project

Power Point presentation was presented to Council members. Mr. Hilz reviewed requested of changing zoning from R3 to PUD, three proposed access points, active open space areas with a central park and playground, multi-use path from High Street to Lafayette Street, traffic calming at center of site (roundabout), proposed model homes include ranch and two-story homes 1600-3000+ sq ft, landscape buffering, and drainage improvements. Changes to the site plan, the drainage corridors were added after the environmental assessment, darker areas on the map are wetlands that are sensitive areas and must protect, buffers and setbacks will protect those areas. Larger green space than what was previously there. The previous plan had 20% (14 acres) of open space and now it's 24% (17.6 acres) open space on the site. 236 units to 235 units on new plan, lot configuration was 65 units at 60 feet, now there are 48 units at 60 feet and the 50 foot lots went from 171 units to 185 units. Entrance on High Street now lines up with Sharp Street, the previous plan it did not. Moved the High Street entrance away from the wetlands. Multi-use paths that go in front of homes will be concrete.

London City Council

July 6, 2023

Councilman Eades – Pond off of High Street that had to be moved looks a little smaller, do we still have the same amount of water retention as we did before?

Jim Hilz – Yes, we do. Obviously, that'll be nailed down as we get close and we added additional ponds.

Councilman Hays – If this is all approved, what is your target start date?

Jim Hilz – We have to go through engineering and finding contractors, we will be at least a year away from starting.

Audience Concerns

Elizabeth Branson, 500 Graceland Ave – Compliment the Mayor and City for the wonderful Fireworks the other night. Very happy to report with all the rain recently, we had no flooding on Graceland Ave. We still have a concern with this project long term with the drainage, if there is a guaranteed plan or will we have a resuming of the flooding as a result of bad planning or not the right planning. We have a concern with traffic, we don't know how that's going to work out. We are also concern with the nose of construction and an increase of crime. Do you really want London to turn into a Grove City, Hilliard, or Plain City? Progressive is not always good, unless there are strict rules with crime and nose.

Michael Norman, 188 S. Oak St.- Thank you for allowing me to speak today. First, I'd like to thank everyone who participated with the Strawberry Festival. Awesome 4th of July we had, to all city employees and departments. On behalf of someone else who couldn't be here. Concerns with the company who is laying cable for new internet. Heavy equipment damaging sidewalk. Who fixes those sidewalks? And they left ruts in her yard and chunks of concrete came up from curb.

President Comer – Mr. Castle have you heard anything about this issue?

Rex Castle – No, I have not heard complaints. We did have a meeting with the boring company and they made it clear that if there are in issues that we need to get it to them and they'll address those. Once the project is finish, the boring company will come in and fix all damages. It's going to take time. If that person would get with me, the boring company will fix those issues.

Tommy Boyd, 48 N. Union St. – Just a couple of issues with all of these houses coming in. Grass inside of the curbs, is that the home owner's responsibility or who? Von Kennel, us or the schools?

Rex Castle – Schools?

Mr. Boyd – Chemical use to kill weeds on the outside of curbs on the roadway, is not allowed, right?

Rex Castle – Haven't heard anything.

Mr. Boyd – The first one, for the citizens on Graceland - \$400 a year extra on taxes

London City Council

July 6, 2023

for the next 15 years to cover 60% of the drainage pipes put in, I'm curious if it says that anyone else could tap into that pipe?

Rex Castle – First of all, the pipe is coming from that field where the houses are being built. No, there is nothing saying no one can't tap into it. That piping was put in to handle the water coming from that field. It's just going to be different structure there and retention ponds will be added to assist with drainage. Those pipes were put in to take the water from the field and not going on Graceland, then taking the water downstream.

Mr. Boyd – Sounds like everyone is happy and no issues at this time. Next one, during the last BPU it was stated that we ran out of the elbow sleeves to hook up the water meters. Will anyone be delayed from moving into their house?

Rex Castle – Thanks to our street department, had connections to provide to the water department. It's not a city shortage, it's a national shortage. We will find enough to complete all the housing that is coming.

Mr. Boyd – Next, at last month's Finance Committee meeting, I asked to speak "citizens concerns" and I was told that I could not speak. Do we have a protocol that allows citizens to speak? Can we sign in at the beginning of a meeting, so we can speak? Any ideas?

Councilman Peters – You were allowed to speak, but not until the end of the meeting. These committee meetings are not townhall meetings. We try to stick to the agenda.

President Comer – My understanding is citizens are allowed to speak at these meetings. Committees is where they need to speak out and discuss, not so much during the Council meetings. Decisions are made in the committee meetings and that's where citizens need to speak up. That's my recommendation. I prefer discussions to happen in the Committee meetings.

Mr. Boyd – I agree.

Councilman Eades – I agree with the Councilman Peters because we have an agenda to adhere. But I also agree with Mr. Boyd. Speaking during the committee meeting, you'd be on record, but you were told that you would not. I don't know if there was a change or we are moving that way. I understand the need to follow the agenda and don't want to make it a free for all, but we need to stay on task.

Mr. Boyd – I understand, but I wanted to speak at the committee about, hey are we going to pay for our Fire Department. Are we going to go back to the 3mils that we use to have before? But next time I'll shot an email and hope that I can get on the agenda. Thank you to Dave Kohe from the county commissioners with helping with the courthouse sidewalks repairs and extras.

President Comer – Again, I prefer for discussions to happen during the committee

London City Council

July 6, 2023

meetings because sometimes you could come up with new ideas we haven't thought of before.

Committee Reports

Personnel & Finance Committee – *Councilman Peters*, we have legislation that will be discussed tonight.

Public Service Committee – *Councilman Robinson*, Park & Rec's report – Swimming Pool – Revenue, Front desk \$27,781, Concessions \$7,804. Two new lifeguards hired, both swim meets we hosted were a success, Swim Lessons, Session 1 was cancelled due to the weather, Session 2 had 20 swimmers sign up, Upcoming sessions – 1. Morning Session, 11am – 12pm, July 17-20, 2. Evening Session, 7:45pm-8:45pm, July 24-27, Repairs – America Leak Detection is due out on July 10th to look at the racing pool. Looking to replace some of the filter systems, unable to obtain parts due to the age. Parks – Cowling Park, recently held the first of 2 movie nights on June 30th, it was well attended, Next movie night is set for August 18th, but night change to an earlier date. Merri-Mac Park, new trash receptacles have been added, new backboards were put up on the 2nd court, looking into getting a porta-potty down there until permanent restrooms can be built. Additional Programs – Sand Volleyball League, registration will start in the next day or two for end of summer league, Pickleball, will be looking getting quotes on turning the asphalt area (old basketball court) at Cowling Park into pickleball courts.

Public Safety Committee – *Councilman Hays*, Tuesday, July 11 in the Conference Room and everyone is invited. I have two sets of BPU minutes. 6/22 & 7/5

6/22

- Citizens concern with bills. As long as they are received by the department when they open the next morning after the due date (20th).
- Voluntary restrictions of the water because for the leaks, hot weather and pool filling.
- The emergency hookup on SR 38, it is operational, it was tested and tested great.
- Discussion on tap fees, nothing more to report
- F150 truck is junk. May be a new truck down the road.
- Water meters are still being installed.
- Discussed electric at the new pole barn and well. Estimate \$18,000 to install electric.
- New chlorine line going in at the East High St plant
- The yokes have all been taken care of
- Discussion about the fire hydrants that sits down in front of the old school on Walnut. It can be raised. That will be taken care of in the future.
- Strength ordinance for the water department, bring it up to a total of 9
- Waste water, adjusting the cost for problems
- Buying new dumpster, \$300 per permit for each business. No discounts
- BPU office, everything is good

London City Council

July 6, 2023

- 2,300 meters are done out of 3,900

Special meeting on 7/5

- Discussed personnel, will be discussed at next Finance meeting
- Lead and copper survey. It's a survey to request information on lead and water pipes in residential homes. In July bills – Mayor corrected that it'll be in the August bill.

Mayor Closser – Just to clarify, the lead pipe survey will go out in the August water bill.

Councilman Eades – Questions about the proposed sewer plant to built by the county on SR 42, one of the comments made if they build that plant will there be an agreement with the city of London to treat their waste water?

Mayor Closser – I have a statement about that I'll read during my report.

City Official Reports

Mayor – Pat Closser

Good evening and thanks to everyone for coming out.

I would like to start off by talking about Madison County's purchase of the Byer's Property located at 725 SE US 42 just outside the City limits. The County Commissioners have purchased this property next to the London County Club for a potential site to build a County Wastewater Treatment Plant. The City of London has come up in some of the conversations and I wanted to make it clear on what our involvement is.

A while back we were approached by County Officials about their partnership with Plain City. They formed a group, Mid Ohio Water and Sewer District, to help with water and sewer needs. During these conversations they expressed that they would need more ability to treat wastewater. We then started to discuss the potential of the City of London taking wastewater from the district. Currently we only use about 45% of our capacity at our wastewater treatment plant. The conversations have continued on a potential partnership with the M.O.W.S.D. in regards to taking wastewater. There are currently no agreements or contracts with the entity and we are still having those discussions.

The administration's stance is to look into this potential partnership as it could benefit the City of London financially. We currently have a contract with the County to take the prison's wastewater until we pay off our debt service for the expansion of that plant which will end in a few years. After that the County can then process that sewer and we could lose millions of dollars in revenue. We would also be able to process the new sewer coming in and make money from that.

The City of London was aware they were looking at potential sites but we never

London City Council

July 6, 2023

knew where and didn't know that property was purchased until they had finalized the deal. After the County purchased that property, our team met with them to ask about our potential deal. They expressed that a deal with London is their option A and the Byer's property is option B. We also had a Board of Public Utilities board member, Steve Lelonek, attend a County Commissioners meeting after their purchase. We wanted to make it very clear and have it put on the record that we do not believe that building a wastewater sewer plant just outside London is fair to our citizens. We already have our own plant south of London and them putting one just outside of London is not courteous to our constituents and have made those clear multiple times.

We will continue to meet and have discussions about the potential partnership to take their wastewater. If a deal is able to be made, we will bring it to committee and then to City Council for approval.

There have been a few events since the last meeting in June. The Strawberry Festival took place and the Cobra Car show which was another success. We held our first outdoor movie of the year which was very well attended. The Super Mario Brothers Movie brought in our biggest crowd to date for our outdoor movie series. The Friends of Madison County Parks and Trails had their ribbon cutting for the mural project. These murals are a great welcoming addition to people visiting our great City via the bike path. The fireworks display was also fantastic. Hamburg Fireworks did a wonderful job and the show was amazing. I would like to thank everyone who had a part in these events and their dedication to our community.

I do want to apologize but I will be unable to attend the next City Council meeting on July 20th. I will be performing in the Madison County's Arts Council's musical The Sound of Music. The show runs for three nights, Thursday July 20th Friday the 21st and Saturday the 22nd, at the London High School Joyce Hildebrand Auditorium and will begin each night at 7:00pm. Please come out to see a wonderful show and support the local arts.

The fair is coming up this weekend and it should be a great time. Please make sure to get out and support our local youths and their projects. I will be participating in the Demolition Derby on Saturday the 15th. Feel free to come out and root me on or if you would like root for everyone else to crash into me, whatever your preference is.

And one last reminder is that the Rhythm and Ribfest will take place in Downtown London on Friday August 4th and Saturday the 5th. There will be a car cruise in, Kiwanis 5k, Cornhole Tournament, Dunk Tank, Music all day each day, food, beverages, fun for all and much more.

The mayor fun fact is the number 64. In this year's 4th of July parade, we had 64 entries. The parade was a huge success with so many entries and the streets lined with onlookers. I would like to thank the few people who helped me put this parade on. I would also like to thank the Street Department, Police Department and the Division of Fire and EMS for all of their help. This is quite the undertaking and I wouldn't have been able to do it without all the help, entries and everyone

London City Council

July 6, 2023

who came out to see an awesome parade.

Councilman Peters – You were talking about partnerships with Mid-Ohio district, have you thought about joining the Mid-Ohio district as the city?

Mayor Closser – How I explained this was there are many different things to look at to see the benefits for all who are involved. Would that be Plain City building a plant with the county without us? Would we would build a plant and be the sole provider for the district? Or would we join the district? Those are the conversations we are having right now. The biggest thing is figure out financially what is the best path for all involved. Projections...etc. Those numbers come from an engineer. Looking for the best path for everyone.

Councilman Eades – You mentioned the prison and we have a contract with them that's about to expire. However, I don't know if they have to automatically go with the county, we can make that a complete situation and we can make a bid?

Mayor Closser – No, they'll go with the county. When the city of London expanded the current waste water plant about 20-25 years ago, they were able to bring in the prison sewer. They pay enough to cover the debt service, sort of. When the county went in and bought the prison's water plant, the state said they had to take the sewer plant. We get paid from the county, not the state of Ohio. The county won't pay us if they have their own sewer processing plant.

Councilman Eades – We are using 45% of compacity with 3900 users or accounts. If we have 1300 new users coming on line. We are either increasing it by a 3rd or we just add 25% to the compacity. Do we have the compacity to handle that increase?

Mayor Closser – We currently do have that compacity and we do have the ability to expand. We are also asking the county if it's cheaper for them to build their own plant or come in and expand ours? That's the discussions we are having now.

President Comer – Is it true that the expansion would be able to handle 3 times the compacity that we handle now?

Mayor Closser – There are a lot of things that come into play, including the EPA, land locked?

Safety Service Director – nothing to report

Auditor – not available

Old Business

Tabled Items

ORDINANCE 151-22 Sponsored by Rich Hays- An ORDINANCE amending official zoning map.

Motion to take off the table by Councilman Hays, 2nd Councilman Robinson.

London City Council

July 6, 2023

The motion carried with 5 in favor and 0 against by voice vote

*Motion to accept the amended plans by Councilman Hays, 2nd Councilman Stahl.
The motion carried with 5 in favor and 0 against by voice vote*

Councilman Peters – Since this is a new plan, I believe that we need to leave it on for now to give everyone a chance to look at it.

4th Reading

ORDINANCE 167-23 Sponsored by: Josh Peters, An ORDINANCE amending the policy and

Procedure manual. There are several sections of the Policy and Procedure manual that need updated; and this Council must act to approve the recommendations.

Motion to adopt ORDINANCE by Councilman Robinson, 2nd by Councilman Hays. The motion carried with 5 in favor and 0 against by voice vote

ORDINANCE NO. 177-23 Sponsored by: Josh Peters, An ORDINANCE to increase the municipal income tax by twenty five hundredths of one percent (0.25%) per annum for a continuing period of time, commencing January 1, 2024, of which increase (I) one quarter of one percent (0.25%) per annum shall be used for the purposes of providing funds to pay costs of acquiring, constructing, furnishing, equipping, improving, maintaining, and repairing municipal fire department facilities, to pay general operating expenses of the fire department, and to pay any expenses and debt service charges for debt incurred in connection therewith, and declaring an emergency.

Councilman Peters – Discussion to amend

Councilman Eades – Yes, to change this to a set period of time. Spoke to the Law Director and she doesn't have any objections to this being amended to a set period of time of 5 years. It would have to be reviewed each time.

Councilman Hays – Ok with the 5 year, but with all the building taking place that we should go with 7 years. This will give us a little bit of play time.

Councilman Stahl - I agree and like 7 years.

President Comer – I agree. This gives the city time with all of the growth coming now.

Councilman Peters – I definitely like the set number of years.

Councilman Eades – My only concern is if we go with the 5 year set time and renew in 5 years, then we are at 10 years, but if we go with 7 years and we need to renew, we are looking at 14 years into this. I don't have a very strong objection to 7 years.

London City Council

July 6, 2023

President Comer - at 7 years we may not need it at all.

Motion to amend to change from a continuing period of time to a set period of time commencing January 1, 2024 to December 31, 2030 by Councilman Eades, 2nd Councilman Peters. The motion carried with 5 in favor and 0 against by voice vote

Motion to adopt ORDINANCE with amendment by Councilman Robinson, 2nd by Councilman Hays. The motion carried with 5 in favor and 0 against by voice vote

RESOLUTION NO. 178-23 Sponsored By: Josh Peters, A RESOLUTION to place the issue of increasing the municipal income tax by twenty-five hundredths of one percent (0.25%) per annum for a continuing period of time as provided in ordinance no. 177-23, on the ballot at the election to be held on November 7, 2023, and directing the Board of Elections of Madison County, Ohio to conduct such election, and declaring an emergency.

Motion to amend to change from a continuing period of time to a set period of time as provided in ORDINANCE 177-23 by Councilman Robinson, 2nd Councilman Hays. The motion carried with 5 in favor and 0 against by voice vote

Motion to adopt RESOLUTION by Councilman Hays, 2nd by Councilman Stahl. The motion carried with 5 in favor and 0 against by voice vote

2nd Reading

ORDINANCE 179-23 Sponsored by: Josh Peters, An ORDINANCE amending section 278 of the codified ordinances

Motion to suspend the 3-reading rule by Councilman Robinson, 2nd Councilman Hays. The motion carried with 5 in favor and 0 against by voice vote

Motion to adopt ORDINANCE by Councilman Stahl, 2nd by Councilman Hays. The motion carried with 5 in favor and 0 against by voice vote

ORDINANCE 181-23 Sponsored By: Henry Comer, An ORDINANCE amending official zoning Map

Public Hearing at July 20, 2023 Council meeting

Leave on for 3rd reading

RESOLUTION 182-23 Sponsored by: Henry Comer, A RESOLUTION adopting the recommendations of the Planning Commission

Public Hearing at July 20, 2023 Council meeting

Councilman Eades - Request for a traffic and water study

Rex Castle – That’s only if they request for more homes over the 66 lots on this legislation. Planning Commission approved them to build 66 homes, but they

London City Council

July 6, 2023

cannot go beyond that amount without the traffic and water study.

Councilman Eades – My concern is, both builders have to submit plans on how they will move water off of their property. Does the city have an actual plan in place that shows where all this water will go off of their property and where that goes south to go out of the city? Do we have a plan in place, that's been approved and updated? And do we have the capacity within our storm system to move that water because it doesn't do any good to have them move water off of their land if doesn't go anywhere beyond that. It's a concern of mine and I'd like to discuss to understand how this works a little better.

Rex Castle – That'll be part of the plan study that'll be submitted to Choice One to review. That's why all these plans added retention ponds to help with water not running so much downstream. I'm assuming the retention ponds are there to help manage the flow of water.

Councilman Eades – If we don't have the capacity to get water out of the city, then why are we allowing these people to build? I just want to know that there is a plan in place to move the water. How are we as the Council certain this can take place?

Rex Castle – The city is working diligently to ensure we can get the water to flow out of the city. We can ask Choice One to give us some numbers to answer your question.

Councilman Eades – I want to thank the city and Choice One for all the improvements they've done, but my hope is that it'll be enough.

Rex Castle – We hope it's enough, but we don't know what mother nature will throw at us.

Mayor Closser – Rex hit it on the head. We can get answers for you from Choice One. We've been told that these retention ponds will help contain the water and not run off into the street. Send us any questions and we can get the answer for you before the Council meeting.

Leave on for 3rd reading

New Business

RESOLUTION 183-23 Sponsored by: A RESOLUTION to adopt the solid waste management plan for North Central Ohio Solid Waste District

Motion to suspend the 3-reading rule by Councilman Hays, 2nd Councilman Stahl. The motion carried with 5 in favor and 0 against by voice vote

Motion to adopt RESOLUTION by Councilman Stahl, 2nd by Councilman Hays. The motion carried with 5 in favor and 0 against by voice vote

London City Council

July 6, 2023

Round Table

Councilman Eades – Couple of updates. I'm happy to report they have started work on the crosswalk signs. Corner of Oak and High St. will have a push button on each of the four corners. Omni is here and drilling, provide a 2nd internet service offered in London. Address on how the committees is run. Mr. Norman submitted a request to speak at the Safety meeting and was told "if there is time". How are we going to allow the public to speak at these meetings? I'd like to nail that down. A public comment section? Keep them at the end? I feel the public should speak. This is a concern I have and would like to see something moving forward.

Councilman Hays – I don't know if Mr. Norman was at the meeting, but he could have spoke at the end of the meeting.

Councilman Peters – Again, a reminder that the Finance Committee meeting has changed to Tuesday, 7/11 at 6pm.

Councilman Robinson – Next week is fair week and if you can go out there and check it out. Kids in our community are showing and would appreciate the support. Next Public Service meeting is 8/2.

Councilman Hays – Safety meeting is Tuesday, 7/11 at 5pm. Thank all city employees for a job well done. Fantastic fireworks and great 4th of July parade. The fair starts next week. Go out and support our county fair. I was with Congressman Mike Carey at a rally last week in Grove City. I was told the police department money was approved, but I don't know how much or when. But it is in the pipe line. Happy to hear that. I want to thank everyone for coming out tonight.

Councilman Stahl – Thank everyone for coming and all the questions that we don't think of. I'd also like to thank Pulte for coming out. The plans look like a community and not another housing development. I'd like to see Mid-Ohio and the city to come together. We had a very good Strawberry Festival. A lot of people downtown. Come out to the fair.

President Comer – Thank the Pulte group and the other groups coming to our town. We are growing and it's inevitable. We have a great city and it's no wonder why everyone wants to come out here.

Adjournment

Motion to adjourn at 8:23pm

London City Council

July 6, 2023

Attestation: Minutes approved, filed in Audit’s Office, and posted on City of London website for public review.

Kris Miller, Council Clerk

Henry Comer, Council President

Date

Date