

RECORD OF PROCEEDINGS

JEFFERSONVILLE COUNCIL

REGULAR SESSION

HELD: DECEMBER 14, 2023

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The COUNCIL OF THE VILLAGE OF JEFFERSONVILLE convened in regular session from 7:46 PM to 8:42 PM in the Village Office, 8 N Main St, Jeffersonville, OH 43128. Mayor Robert Kinzer called the meeting to order with the following members and visitors present:

ROGER SPAHR	PRESENT	JACOB DAWSON	PRESENT
ROBERT MINSHALL	PRESENT	ERIKA WOLFE	PRESENT
DANNY MAXIE	PRESENT	SUE BURNSIDE	PRESENT

**EMPLOYEES:** BRYAN RILEY & STEPHANIE STEWART WERE PRESENT. LAW DIRECTOR DAVID KIGER WAS PRESENT.

**MINUTES:** OF THE 22 NOVEMBER 2023 MEETING WERE APPROVED. MOTION BY BURNSIDE/DAWSON ALL IN FAVOR VOTE – 6 YEA 0 NAY.

**FINANCIALS:** RECEIVED AND REVIEWED NOVEMBER 2023. SPAHR/MINSHALL ALL IN FAVOR VOTE- 6 YEA 0 NAY

**VISITORS/CITIZENS:** TONY TUROWSKI DISTRICT 6 ODOT DEPUTY DIRECTOR, KYLE SCHMIDT ODOT CENTRAL OFFICE MANAGE PROPERTIES FOR ODOT, & DAVE BILLS, BILLS ARCHITECTS CONSULTANT AND ENGINEERS FOR ODOT. TUROWSKI- WATER & SEWER ACCESS FOR 71 NORTH & SOUTH REST AREAS. CLOSED DOWN FOR RECONSTRUCTION. HOPING TO FORMALIZE A RESOLUTION TO PROVIDE WATER AND SANITARY SEWER ACCESS TO THOSE REST AREAS. RESOLUTION OR COMMITMENT TO ALLOW US TO DO THAT. WE'RE OUTSIDE THE LIMITS OF THE VILLAGE, WE NEED TO HAVE A RESOLUTION FROM THE VILLAGE TO ALLOW SERVICE TO US, BASICALLY FORMALIZE THAT, BC WERE WORKING VIGOROUSLY TO REBUILD THE REST AREAS TO GET IT OPEN BACK TO THE PUBLIC. ALLOW US TO GO TO EPA AND GET OUR PERMIT FOR THE WATER LINE. KIGER- ANNEXING THIS PROPERTY WOULD REQUIRE ANNEXING PART OF THE STATE HIGHWAY AT THIS POINT AND THE LIABILITY THAT WOULD COME WITH THAT WOULD BE MUCH LIKE OUR LIABILITY WHEN IT COMES TO STATE ROUTE 41 THROUGH THE VILLAGE NOW. BECAUSE IT'S IN THE VILLAGE WE'RE HAVING TO PAY OVER \$400,000.00 TOWARDS THE IMPROVEMENT OF THE STATE ROUTE THAT'S IN THE VILLAGE. RECOMMENDATION PASS RESOLUTION ALLOWING THE EXCEPTION TO THE RULE THAT THEY ANNEX. CONCERNED ABOUT THE UTILITIES THAT WILL BE RUN FROM OUR WATER AND SEWER PLANT, TO THE NEW REST AREAS. ABANDON PACKAGE PLANTS IN FAVOR OF THE USE OF OUR WATER AND SEWER. THE SIZE OF THE LINE NECESSARY TO SERVICE THEIR PLANTS IS PROBABLY A LOT SMALLER THAN WHAT WE WOULD LIKE TO SEE IN THAT RIGHT OF WAY, THE EASEMENT, IN THE STATE HIGHWAY. VERSUS ASKING THEM TO UPGRADE THE LINES NOW, PROPOSE TO THEM AS AN ALTERNATE SOLUTION FOR THE STATE ALONG WITH THE DEDICATION OF THE UTILITIES BACK TO THE VILLAGE TO ALLOW US TO OPERATE IN THE AREA OF THEIR RIGHT OF WAY, WHERE THIS UTILITY WOULD LIE. WE DON'T TOUCH THEIR LINES; WE CAN INSTALL OUR NEW LINES IN THAT RIGHT AWAY AREA. IT'S A SHORT RUN DOWN THROUGH THERE. THEREFORE, WE DON'T HAVE TO DEAL WITH THE PRIVATE ADJACENT OWNER IN RUNNING OUR UTILITIES IN THE FUTURE. TUROWSKI- ODOT STAY IN THAT LINE, GOOD PATH FORWARD. GRANTING AN EXCEPTION TO THE REQUIREMENT TO ANNEX THE PROPERTY BECAUSE IT'S A PUBLIC ENTITY. MOTION TO APPROVE THE RESOLUTION 6-2023. BURNSIDE/DAWSON VOTE – 6 YEA 0 NAY.

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**NEW BUSINESS:**

- MOTION TO APPROVE THE PLANNED UNIT DEVELOPMENT (PUD) APPLICATION. MOTION BY SPAHR/MINSHALL VOTE- 6 YEA 0 NAY. KIGER- SCHEDULE OF FEES IN OUR SUBDIVISION REGULATIONS IS A LITTLE LIGHT.
- 31 S. MAIN ST. MOTION BY DAWSON/MAXIE TO DENY ZONING CHANGE VOTE- 6 YEA 0 NAY. KIGER- NON-CONFORMING USE FROM CESSATION OF THE USE AS A SERVICE STATION, THERE HAS BEEN A GARAGE DOWN THERE VERSUS FUEL, I WOULD CONSIDER THAT A CONTINUATION OF THE USE, UNTIL THE DAY IT STOPPED, UNTIL HE REVERTS TO WHAT IS AROUND HIM WHICH IS URBAN RESIDENTIAL, 24 MONTHS FROM THE DATE THAT HE STOPPED THE USE.
- PLANNED SERVICE REVIEW- BURGESS & NIPLE \$25,000 VS WOOLPERT \$18,200.00. THESE COSTS WILL BE PASSED TO ZZP. KIGER RECOMMENDS WOOLPERT. MOTION BY DAWSON/MINSHALL TO GO WITH WOOLPERT. VOTE- 6 YEA 0 NAY.
- FLOOD PLAIN- MAYOR ASKED COUNCILMAN ROGER SPAHR NOT TO PARTICIPATE IN THE DISCUSSION. KIGER- NECESSITY TO BUILD IN A FLOOD PLAIN. NONE OF US ARE QUALIFIED TO DETERMINE WHETHER OR NOT THAT'S FEASIBLE. SOIL AND WATER CONSERVATION DISTRICT AGENT CHESTER MURPHY OF FAYETTE COUNTY IS THE FLOOD PLAIN MANAGER. THE COUNTY HAS AGREED TO ALLOW US TO ADOPT THE SAME SET OF REGULATIONS THAT THEY HAVE AND THEN THEY WILL ENFORCE OUR FLOOD PLAIN REGULATIONS. RESOLUTION 7-2023. RESOLUTION AGREEMENT WITH THE COUNTY TO ENFORCE FLOOD PLAIN. MOTION BY BURNSIDE/WOLFE VOTE- 5 YEA 0 NAY 1 ABSTAIN.

**CONTINUING BUSINESS:** NONE.

**OTHER BUSINESS:**

- PROPERTY AT 5 W. HIGH ST. STILL NEEDS CLEANED UP. RILEY WILL TAG THE YARD. THE CLEAN-UP CAN BE ASSESSED TO TAXES, REGARDLESS OF OWNERSHIP.
- ROUND ABOUT ON 435 AT 729.
- 22 DECEMBER 2023 AT 10:30 AM NEWLY ELECTED OFFICIALS SWORN IN AT MUNICIPAL COURT.

**VILLAGE ADMINISTRATOR:**

RILEY- UPDATE FROM ENGINEER BARB ANDERSON, MONEY WAS RELEASED LAST WEEK. NOTHING ANNOUNCED, YET. ANDERSON WILL BE IN MONDAY OR WEDNESDAY NEXT WEEK. WANT TO ASK COUNCIL IF WE'RE ABLE TO UPGRADE OUR COMPUTER SYSTEM. COUNCIL ABLE TO HELP DONATE FOR FAMILIES IN NEED AT CHRISTMAS.

**COUNCIL:**

BURNSIDE- ASKED ABOUT HELPING HER NEIGHBOR FOR CHRISTMAS. STEWART- GAVE INFORMATION TO ROSE AT THE JEFFERSONVILLE MARKET TO CONTACT VARIOUS ORGANIZATIONS TO HELP HER NEIGHBOR. WE'RE UNABLE TO ADD TO OUR LIST BECAUSE WE'VE ALREADY COMMITTED TO THE LIST OF FAMILIES WE ALREADY HAVE. MAXIE- IS THE POOL EQUIPMENT PUT AWAY? RILEY- GUARD CHAIRS & TABLES ARE STILL OUTSIDE BECAUSE WE'RE GOING TO BE PUTTING WINDOWS IN THURSDAY. THE CHRISTMAS TREE LIGHTENING WAS A GREAT SUCCESS. COOKED OVER 270 HOT DOGS. MINSHALL- THE NEW MARIJUANA LAW, DOES THE VILLAGE GET ANY CUT FROM THE 15% TAX? KIGER- WAIT UNTIL MARCH OR APRIL FOR FINAL LEGAL JURISDICTION. THE FIRST HOUSE ON THE LEFT ON WOODSVIEW DR. PAST THE APARTMENTS, DERBY CAR. RILEY WILL TAG. SPAHR- THE HOUSE ON JANES ST. RILEY WILL TAG. SPAHR- WHERE DO WE STAND WITH THE TELEMTRY ON THE WELLS. RILEY- THEY SHOULD BE COMING BACK. NO BID ON GENERATORS. \$3,200.00 FOR CONCRETE. RILEY WILL HAVE JB GIVE

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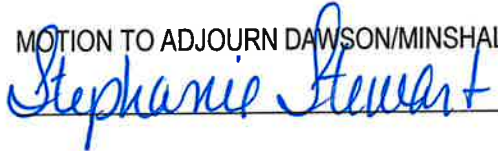
ESTIMATE FOR ROGER SPAHR REQUEST. KIGER- APPROPRIATIONS? STEWART- WE PASSED TEMPORARY APPROPRIATIONS LAST MEETING. KIGER- START DRILLING FOR WELLS. RILEY- SHOULD WE START THE PROCESS NOW ON THE WELL ON THE CORNER OF SIMS PROPERTY? KIGER- COMPREHENSIVE COMPLETE OVERHAUL OF ZONING REGULATIONS. KIGER PROJECT FOR 2024.

**FISCAL OFFICER:**

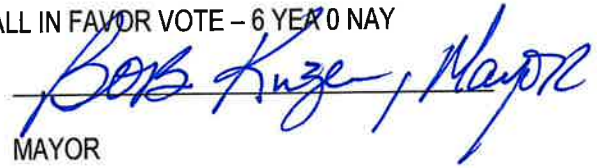
BILL LIST RETRO TO NOVEMBER 22. BURNSIDE/DAWSON VOTE- 5 YEA 0 NAY 1 ABSTAIN. BIL LIST DECEMBER 14. MOTION TO PASS THE BILLS DAWSON/MINSHALL VOTE- 6 YEA 0 NAY. PDAC APPLIED FOR IS BEING RELEASED IN THE MORNING. OPWC WAS RELEASED SHOULD BE HEARING BACK FROM THEM, APPLIED FOR THE STREETS IN TOWN. SHOULD BE FINDING OUT ABOUT THE SEWER UPGRADE FROM BARB ANDERSON. IN 3 WEEKS, WE CAN APPLY FOR OVRDC FOR ROADS.

**EXPENDITURES:** REVIEW, MOTION, APPROVAL. DAWSON/MINSHALL ALL IN FAVOR VOTE- 6 YEA 0 NAY.

MOTION TO ADJOURN DAWSON/MINSHALL AT 8:42 PM. ALL IN FAVOR VOTE - 6 YEA 0 NAY



FISCAL OFFICER



MAYOR

ALL FORMAL ACTIONS OF THE COUNCIL OF VILLAGE OF JEFFERSONVILLE CONCERNING AND RELATING TO THE ADOPTION OF RESOLUTIONS AND/OR MOTIONS PASSED AT THIS MEETING WERE ADOPTED IN A MEETING OPEN TO THE PUBLIC, IN COMPLIANCE WITH THE LAW, INCLUDING SECTION 121.22 OF THE OHIO REVISED CODE.

