



CITY OF HEATH

Mark D. Johns
Mayor

Jay R. Morrow
Auditor

David C. Morrison
Director of Law

1287 Hebron Road * Road *, OH 43056 * P: (740) 522-1420 * F: (740) 522-6324 * www.heathohio.gov

HEATH CITY COUNCIL

March 20, 2023

REGULAR COUNCIL MEETING

President Tim Kelley called The Regular Meeting of Heath City Council to order March 6, 2023 at 7:30pm. The Pledge of Allegiance followed. The Invocation delivered by D. Morrow. T. Dupps called the Roll Call with Council Members; Moretti, Crabill, Cole, Porter, Kelley, Morrow, Lawson. Morrow moved to approve the minutes of the Regular Meeting Feb.21, 2023 - Second by Porter. All in Favor "Aye" Vote. **Minutes Approved.** Mayor Johns, J. Morrow Auditor, D. Morrison Law Director in attendance.

President T. Kelley Opened the Public Hearing at 7:20 P.M. Ord.05-2023 Establish zoning for a parcel of land east of Hebron Road, upon the effective date of its annexation into the City of Heath, and zoning the parcel B-3 General Business. There were no visitors in attendance. Public Hearing Closed at 7:25p.m. No visitors were in attendance.

Committee Reports:

Finance/Budget: J. Crabill met this evening at 6:15 p.m. The following were discussed:

Approval of minutes: February 21, 2023 Committee. Motion by Porter to approve the minutes - Second by Cole. Roll Call Vote- All Favor "Aye" Vote – Motion Carried. Will be Received and File.

Legislative Request:

- 1). An Ordinance giving consent for the City of Heath to enter into an agreement with Sunday Creek Horizons
- 2). An Ordinance authorizing and directing the Mayor to advertise for Bids for 2023 Street Paving and Declaring an Emergency
- 3). An Ordinance to request to appropriate and transfer of \$2,381,198.38 within the General Fund. \$251,344.81 to the Budget Stabilization Fund \$2,129,853.57 to the Capital Improvement Fund, to satisfy the goal of \$2,500,000.00 carryover in the General Fund, is hereby approved.
- 4). An Ordinance to authorize the appropriation of \$14,000.00 within the Street Fund to Street-Individual Service Contracts for tree removal to cut down trees on Irving Wick Drive

- 5). An Ordinance to authorize the appropriation of \$29,641.56 within the Municipal Motor Vehicle License Tax Fund to Storm Sewers for Linville Road Storm improvements
- 6). An Ordinance to authorize the transfer of \$295.00 within the General Fund to Income Tax-Equipment Maintenance and Repairs

Other Items: Approve MTD/YTD Fund Report as to form- Motion by Porter to Approve Jan. 2023 Fund Report. Second by Cole. Roll Call Vote. All in Favor "Aye" Vote. Motion Approved

Income Tax Collections Report was reviewed.

Public Services: D. Morrow met Feb.27, 2023 at 5:30 p.m.

Water:

Utilities Director John Geller first gave an update on Well #10. Drilling is expected to take place this week. Irving Wick Drive will be shut down during the 18 inch raw water main construction coming from the Gartner Well Field. Maintenance of Filters and Media Replacement need to be done 2024. Filter media typically has life expectancy of 10-15 years.

Wastewater:

Update on expansion cost and the okay for the design.
Sewer Inspection State Route 79 recently and found debris inside of the sewer main that needed to be removed from the sewer. The culvert blown out during the flooding period is believed to be the reason for the debris in the main hole.
No delinquents. Review of funds.
Meeting was adjourned at 5:02 p.m.

Public Safety: A. Porter will meet March 20, 2023 at 5:30p.m.

Streets & Drainage: C. Lawson met this evening March 6, 2023 at 5:30p.m.

Street Superintendent Bob Geller first discussed:
Legislative Request - Linnville Rd. storm sewer repair
Legislative Request - Mayor to go out to bid for 2023 paving
Ditch work being done with the new excavator
Culvert project in Forest Hills. Traffic will be maintained during this construction
Meeting adjourned 5:44 p.m.

Community Development & Zoning: P. Moretti will meet March 13, 2023 at 5:30 P.M.

There was a Special Community Development and Zoning meeting on February 27 at 5:44 p.m. We met with Sunday Creek Horizons members Jay Hottinger, Will Drabold and Andy Kostival who discussed what they believed Sunday Creek Horizons could assist the city with. The services they provide include grant funding identification and writing such as for water and

wastewater service expansion, transportation infrastructure projects, downtown development, and affordable and market housing strategies.

Sunday Creek Horizons would assist with legislative and administrative advocacy as well as general planning activities for the city.

The Special Meeting adjourned at 6:30 p.m.

Parks, Recreation, and Davis Shai House: D. Cole met this evening immediately following Streets & Drainage.

Called to order: 5:50 p.m.

- 1). Pool billboards and City information fences for pool hiring are ready. They are already up, including in downtown Newark. They will also be putting up banners soon and have started receiving employment applications for the pool. As in the past they will also be going into schools to do recruiting
- 2). Update on the pickleball and softball – at the last meeting a resident stated that they have a relative who might want to donate toward these items and possibly toward the playground equipment.
- 3). Forry Preserve Emergency Road- We started with a presentation which consisted of a brief overview of the proposal for building and maintaining safe and sustainable trails. Fire and EMS personnel have asked that we have an emergency road to enable safety forces to enter if someone were to be injured in the Forry Preserve. The only entrance to be used for this will be off of the bike path. There was a question about whether motorcycles would be permitted. They will not be allowed as the only allowable motorized vehicle would be for the Fire Department. The road will be constructed as a natural path.

A Newark Earthworks representative was concerned that an archeological study wasn't done because its close to the Great Circle and wouldn't want it to impact potential world heritage designation. The mayor stated that he was meeting the next day with a representative of the Ohio History Connection and that he would ask. Director Geller also stated that a total archeological study was done when the city purchased the property.

A former River Oaks resident who utilized the woods as a kid and still does was concerned about COMBO access all year and if so if that would affect the deer management program. He was also concerned about the requirement to stay on the trails and what activities can take place for the public and having a ten-year MOU with a three-year budget and not having a timber harvesting plan. Another resident also shared the concern about not maintaining the timber.

A representative from COMBO spoke and said that the agreement is not meant to be exclusive for Combo and that they wanted it to be more inclusive and wanted to help maintain the

preserve. COMBO has through their organization and donors brought \$20,000 to put toward the preserve and didn't ask the city for money. The only financial commitment at this point is for the first year for \$75,000 for the road and signage.

Due to Public Hearing scheduled for this night, we had to conclude the meeting but invited the residents to stay until after our meeting and we would listen to any other concerns.

The meeting was adjourned at 7:02 p.m.

Planning Commission: J. Crabill there was no meeting on Feb. 23, 2023. No items on the agenda. The next Planning Commission meeting is March 23, 2023 at 7:00 p.m.

Ordinances on First Read:

Ord.18-2023 An Ordinance enacting Chapter 1132 of the Codified Ordinances of the City of Heath, Ohio, relating to the establishment of The Test Track Overlay District – **Referred to Planning Commission**

Ord.20-2023 An ordinance to establish zoning for a parcel of land at the northeastern corner of Franklin Avenue SE and Dorsey Mill Road SE, upon the effective date of its annexation into the City of Heath, and zoning the parcel R-3 Multi-Family Residence – **Referred to Planning Commission**

Ord.21-2023 An ordinance to accept the petition for Expedited Type II Annexation of certain property into the City of Heath from Union Township, pursuant to the petition filed by Connie Klema, agent for petitioners – Motion by Moretti to Waive the Second Read of Ord. 21-2023 Second by Morrow- Roll Call Vote. All in Favor "Aye" Vote- Motion Approved. Motion by Moretti to Adopt Ord.21-2023. Second by Morrow. Roll Call Vote. All in Favor "Aye" Vote. **Ord.21-2023 Adopted**

Ord.22-2023 An ordinance authorizing the appropriation and transfer of \$661.23 within the General Fund to Squad Supplies – **Held Second Reading**

Ord.23-2023 An ordinance authorizing the appropriation and transfer of \$290,000 within the American Rescue Plan Act Fund to Water-Cap Imp-Cap Outlay-Structures Not Buildings- **Held Second Reading**

Ord.24-2023 An ordinance approving an agreement with Sunday Creek Horizons, LLC and authorizing and directing the Mayor to execute it on behalf of the City of Heath. Motion by Moretti to Waive – Second Read of Ord.24-2023. Second by Crabill. Roll Call Vote. All in Favor "Aye" Vote. Motion Approved. Motion by Moretti to Adopt Ord.24-2023. Second by Crabill. Roll Call Vote. All in Favor "Aye" Vote. **Ord.24-2023 Adopted**

Ord.25-2023 An ordinance authorizing and directing the Mayor to advertise for bids for the 2023 street paving and declaring an emergency – Motion by Lawson to Waive the Second Read. Second by Cole. Roll Call Vote. All in Favor "Aye" Vote. Motion Approved. Motion by Lawson to Adopt Ord.25-2023 – Second by Cole. Roll Call Vote. All in Favor "Aye" Vote. **Ord.25-2023 Adopted**

Ord.26-2023 An ordinance authorizing the appropriation and transfer of \$251,344.81 within the General Fund to the Budget Stabilization Fund and \$2,129,853.57 to the Capital Improvement Fund to satisfy the goal of the \$2,500,000 carryover in the General Fund – **Held Second Read**

Ordinances on Second Read:

Ord.05-2023 An ordinance to establish zoning for a parcel of land east of Hebron Road, upon the effective date if its annexation into the City of Heath, and zoning the parcel B-3 General Business – Motion by Moretti to Adopt Ord. 5-2023. Second by Morrow. Roll call Vote. All in Favor “Aye” Vote. **Ord.05-2023 Adopted**

Ord.14-2023 An ordinance authorizing the appropriation and transfer of \$44,127.67 within the Capital Improvement Fund to Street – Resurfacing. Motion by Lawson to Adopt Ord.14-2023 Second by Cole. Roll Call Vote – All in Favor “Aye” Vote. **Ord.14-2023 Adopted**

Ord.15-2023 An ordinance authorizing the appropriation and transfer of \$17,000 within the Capital Improvement Fund to Parks – Machinery and Equipment – Motion by Cole to Adopt Ord.15-2023. Second by Morrow. Roll Call Vote – All in Favor “Aye” Vote. **Ord.15-2023 Adopted**

Ord.16-2023 An ordinance authorizing the appropriation and transfer of \$79,000 within the Capital Improvement Fund to Street – Other fixed Assets – Motion by Lawson to Adopt Ord.16-2023. Second by Cole. Roll Call Vote – All in Favor “Aye” Vote. **Ord.16-2023 Adopted**

Ord.17-2023 An ordinance authorizing the appropriation and transfer of \$97,604.56 within the Capital Improvement Fund and \$72,248.44 within the Conn Memorial Trust Fund to purchase new playground equipment - Motion by Cole to Adopt Ord.17-2023. Second by Morrow. Roll Call Vote- All in Favor “Aye” Vote. **Ord.17-2023 Adopted**

Ord.19-2023 An ordinance amending sections 781.02, 781.03, 781.04 and 781.05 of the Codified Ordinances of the City of Heath, Ohio concerning license requirements for public game rooms and electronic gaming parlors – Motion by Porter to Adopt Ord.19-2023. Second by Lawson. Roll Call Vote - All in Favor “Aye” Vote. **Ord.19-2023 Adopted**

Resolutions on Second Read:

Res.2023-05 A resolution approving a memorandum of understanding between Central Ohio Mountain Biking Organization and the City of Heath – Motion by Porter to Table Res.2023-05. Second by Moretti. Roll Call Vote. All in Favor “Aye” Vote. **Res. 2023-05 Tabled**

Res.2023-06 A resolution approving membership in the META Purchasing Cooperative- Motion by Moretti to Adopt Res.2023-06. Second by Morrow. Roll Call Vote- All in Favor “Aye” Vote. **Res.2023-06 Adopted**

Res.2023-07 A resolution adopting Licking County’s Programmatic Agreement with the State of Ohio Historic Preservation Office – Motion by Moretti to Adopt Res.2023-07. Second by Morrow. Roll Call Vote – All in Favor “Aye”. **Res.2023-07 Adopted**

Reports of City Officials:

Mayor – Welcome Guests! Thank council for waiving the second read on Ord. 24-2023. Sunday Creek Horizons. Projects coming up and the work that needs to be done and limited staff to do. Excited to have Sunday Creek Horizons with a 1-year renewable agreement. Also like to share continued and growing support of the Thornwood Dr. corridor partnered with MORPC and did submit raise grant on the city of Heath behalf to help with the corridor on what needs to be done and future needs. Its is very rare and doubtful of getting a grant for the first-time submittal but we will continue to work with them and other partners in Licking County.

Sunday Creek Horizons will also engage with us on that effort as there maybe other funding and grants available to receive. This past Friday I had a meeting at The Davis Shai house which turned out to be an ODOT Meeting. The topic was Thornwood Drive corridor as it relates to things that need to be done. Very positive meeting. Thank Scott Haines from Verdantas for presenting information related to projects that are underway and projects that need to be done. ODOT walked away knowing there is a broad support for improvements on Thornwood Drive. We here locally have a good plan in place and focal point for infrastructure here in Licking County.

Congratulations to our Heath Bowling Team that competed at State Championship this year. We will have them here in two weeks as our guests and formally congratulate them. Also, Congrats to the Heath High School Cheerleading Team. This past weekend placed 2nd in the State Competition. We also like to have them here the week after as our guests as well. Big Thank You to Jay Morrow, Heather and Jenn Pettit for all of their hard work this past Saturday at The Heath 300 Club. This believe first year sold all 300 tickets and started selling in August. This supports atheletic progress in middle shool and high school. Let them know very well done.

Auditor J. Morrow – Welcome Visitors! I will let them know. I don't take any credit for this. They just give me the micropphone. Anyone that has had anything to do with The 300 Club in the past and moving forward. Thank You! They are already starting to sell tickets for next year and have already sold 100 for next year. We made over \$16,000 most ever and work make \$20,000 next year is the goal. See a few of you in the crowd tonight that were there and helped to sell 50/50. Thank You! Great to see everyone in the community get together the other night. Great tonight to see the community come together and have a real conversation. Council just tabled it and we will all have a real conversation. We all will get together and see both sides and come together on an agreement that makes sense for the community. This is what makes this community the best in the world. Go Dogs!

A. Porter – Thank you to the passionate residents who showed up tonight and spoke out about their feelings. We take their feelings into account and appreciate that. Congratulations to The Cheerleaders and The Bowling Team.

D. Morrow – Like to echo the words as well. Great eveing Saturday night at The 300 Club. Great to see the city work with the community and the schools. Great to be a Heath- in

P. Moretti – Thanks to Jay for his work. Also, I went to an elected officials class at MORPC in Columbus two weeks ago. They had a lot of good things to say about the mayor. Very informational class and a lot of good information.

J. Crabill – Welcome Visitors tonight! Looking forward to Sunday Creek Horizons. Really looking forward to a nice avenue for some doors to open for the city. Huge asset for the city. Nice to hear from our public tonight and the passion about Forry Preserve. Collaboration is a common denominator for all of this. Bikers, hikers, residents and EMS. Nice to hear all of the comments this evening.

C. Lawson – Jay and his committee did an outstanding job Saturday evening. We had a great time. Thanks to all of the visitors this evening. Very healthy conversation. We will work on this and get something figured out. Congratulations to all of the sports teams.

D. Cole – Welcome Vistors! Remind Council. Tomorrow Open House 4-6 p.m. at The Davis Shai House with the Art Council Board. Good to hear another side of what we were trying to do at Forry Preserve. We do not want to do something for just one group. It is great to work together and come to a solution that may benefit many. Feel bad we had to cut off this conversation in committee meeting but we have times for each commiittee that are published and a public hearing scheduled for 7:20. Tabling this will give everyone time to talk and share ideas. The EMS access road will make this a safer place for everyone.

J. Lane – Thank council on the consideration on Sunday Creek Horizons. Breath of fresh air for my department. Welcome visitors. Thanks to the mayor, Scott and Ginna for their help in keeping the Thornwood Drive project moving.

Chief Haren – Congratulations Heath Bulldogs!

T. Kelley – I received a text during street committee meeting this evening from Nate of Newark. Apoligize for the bridge and damage to a sign while being delivered. Took 3 Police Dept. to be dispatched to have delivered. Make sure doesn't cost Heath anything to have this fixed.

Motion by Crabill - Adjourn – Second by Porter– All in Favor “Aye” Meeting Adjourned.



Clerk of Council



President of Council