



# CITY OF HEATH

Mark D. Johns  
Mayor

Jay R. Morrow  
Auditor

David C. Morrison  
Director of Law

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## HEATH CITY COUNCIL

April 3, 2023

### REGULAR COUNCIL MEETING

President Tim Kelley called The Regular Meeting of Heath City Council to order March 20, 2023 at 7:30pm. The Pledge of Allegiance followed. The Invocation delivered by A. Porter. T. Dupps called the Roll Call with Council Members; Porter, Morrow, Kelley, Moretti, Cole, Lawson Crabill. Crabill moved to excuse D. Morrow – Second by Porter. All in Favor” Aye” D. Morrow excused. Crabill moved to approve the minutes of the Regular Meeting March 6, 2023 - Second by Cole. All in Favor “Aye” vote. **Minutes Approved.** Mayor Johns, J. Morrow Auditor in attendance.

**Public Hearing at 7:20 p.m. Harrison Township JEDD.** Tim Kelley President of The Heath City Council opened The Public Hearing this evening at 7:20 p.m.- JEDD- Harrison Township no longer wishes to partner with the City of Heath on the formation of its JEDD – No visitors were in attendance.

**Special Orders:** Mayor Johns presented a Proclamation to the Heath High School Boys Bowling Team for their exemplary season. We would like to wish the coaches and the team Good Luck in their upcoming U.S. High School Bowling National Championship Tournament in June of 2023.

#### **Visitors:**

Yaser Abdelsamed – Speaking on behalf of COMBO – The last time here was at The City Council Meeting. There was quite a bit of good discussion. We took great notes and got back together with Bob Geller and some of the concerned citizens. We worked out the concerns and changes on the MOU on March 10<sup>th</sup> meeting. Everyone was great. We worked together to make changes. We appreciate your time. Thank You!

Kyle Libby – 1733 Berkshire Dr. Good having discussions with COMBO. Changes we all made to the MOU makes it more inclusive. COMBO and the representatives did a good job representing themselves and addressing the citizens concerns. We have an agreement to move forward. Excited for the future of this and moving forward.

Tommy Bruno – I would like to reiterate what has been said and thank you to COMBO for taking your time with us and answering questions. A lot of concerns sparked interest at the beginning of this. Look forward to see what this brings to the community. Thank You!

**Committee Reports:**

**Finance/Budget:** J. Crabill met this evening at 5:30pm. The following were discussed:

Jay Morrow Auditor presented the following to council and the Finance/Budget meeting was called to order at 6:07p.m.

Approval of Minutes: March 6 Committee Meeting. Porter motion to approve - Second by Cole. Roll Call Vote- All Favor "Aye" Vote - Minutes approved.

Legislative Request:

- 1). An Ordinance appropriating \$840.00 within the General Fund to Fire – Individual Service Contracts.
- 2). An Ordinance adopting Fire Inspection Fees – Division of Fire

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

Ethics Form – Reminder

Bob Geller – Reviewed updated changes to the MOU

Motion by Crabill under the Ohio Revised Code 12.22.G4 to move into executive session to prepare for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment. The discussions were limited to the specific statutory reasons for the executive session, as set forth in Crabill's motion. The motion was seconded by Porter. Roll Call Vote. All in favor "Aye" Vote. At the conclusion of this discussion, the Committee went back on record. Meeting adjourned at 7:20 p.m.  
Adjourned Finance at 7:20 p.m.

**Public Services:** D. Morrow absent. Next meeting March 27, 2023

**Public Safety:** A. Porter met this evening March 20, 2023 at 5:30pm. The following were discussed:

**Police:**

Police Chief Haren presented February Statistics 2023.

**Pending Legislation:**

Ballistic Vest Grant Request. The city is responsible for 25% and the state 75% of the cost.  
BWC expansion

Vaping update – City officials met with the county health department – approval processes and to stay within code on vape stores was discussed

Officer Peterson is in charge of the Deer Hunting Program – Reported

Yielded 28 Deer  
6 Antlers  
22 less 3 in.  
11 Buck  
17 City Property

**Fire:**

Fire Chief McCord presented February Statistics 2023.

**Legislative Request:**

Appropriate Marcs Grant \$840.00 to Individual Service Contracts Fund

Inspection fees

Foam that is used now will no longer be able to be used as of next year and will need to be replaced. Looking into alternatives for new foam and disposal of the old.

**Anniversaries:**

Lt. Jaime Jones 3-18-2014 (9 years)  
Steve Gregory 3-05-2007 (16 years)  
Candace Ault 3-09-2020 (3 years)

**Streets & Drainage:** C. Lawson will meet April 3, 2023 at 5:30pm.

**Community Development & Zoning:** P. Moretti met March 13, 2023 at 5:30p.m.

The Community and Development met March 13 at 5:31 p.m. Jared Lane Chief of Building and Zoning gave updates on the ongoing project approvals. Ace Hardware greenhouse plans, RNR Tire plans are going in place of the old Pizza Hut building, a parking area off South 22<sup>nd</sup> Street. South Fork Ridge plans are almost to plan review stage and will be moving to Phase 1 Engineering.

Projects under construction included Sheetz Gas Station, Bojangles, Coughlin Hyundai exterior renovation. Projects almost finished Heath Airport Terminal.

Cole moved to adjourn into executive session at 5:49 p.m. Second by Porter to discuss two matters. Roll Call Vote. All in favor "Aye" Vote. First to consider the purchase of real property. Second to consider confidential information related to negotiations with another political subdivision respecting a request for economic -development assistance. Motion by Cole to come out of executive session and second by Porter. Roll Call Vote. Community and Development adjourned at 7:23 p.m.

**Parks, Recreation, and Davis Shai House:** D. Cole will meet April 3, 2023 immediately following Streets & Drainage.

Parks and Streets Superintendent Bob Geller – Thank The Mountain Bikers for putting together the MOU and meeting on Friday. Thank the residents that came to the meeting as well. We had a very good meeting. It is great when everyone can get together and iron things out. I appreciate everyone's time and hard work. Thank You!

**Planning Commission:** J. Crabill will meet March 23, 2023 at 7 p.m.

**Ordinances on First Read:**

**Ord.27-2023** An ordinance authorizing the appropriation and transfer of \$295 within the General Fund to Income Tax- Equipment Maintenance & Repair – **Held Second Reading**

**Ord.28-2023** An ordinance authorizing the appropriation and transfer of \$29,641.56 within the Motor Vehicle License Tax Fund to Storm Sewers for Linnville Road Storm Improvements Motion by Lawson to waive the second read Ord.28-2023 – Second by Cole. Roll Call Vote. All in Favor "Aye" Vote. Motion to waive the second approved. Motion by Lawson to Adopt Ord. 28-2023, Second by Cole. Roll Call Vote. All in Favor "Aye" Vote. **Ord. 28-2023 Adopted** Comment – Mayor Johns – Thank Council for waiving the second read and passage of Ord. 28-2023 and Ord. 29-2023. The reason for this is to appropriate funds sooner for these projects as they need to be underway.

**Ord.29-2023** An ordinance authorizing the appropriation and transfer of \$14,000 within the Street Fund to Street – Ind. Service Contracts for tree removal – Motion by Lawson to waive the second read Ord. 29-2023. Second by Cole. Roll Call Vote. All in Favor "Aye" Vote. Motion to waive the second read approved. Motion by Lawson to Adopt Ord. 29-2023. Second by Cole. Roll Call Vote. All in Favor "Aye" Vote. **Ord. 29-2023 Adopted**

**Ord.30-2022** An ordinance adopting fire-inspection fees for the Division of Fire – **Held Second Read**

**Ord.31-2023** An ordinance whereby the City of Heath agrees to assume maintenance responsibility for the full width of Canyon Road adjacent to the areas proposed to be annexed within the boundaries of the City by Connie Klema, agent, and the properties owned by Russell Family Limited Liability Company – Motion by Lawson to waive the second read Ord. 31-2023. Second by Cole. Roll Call Vote. All in Favor "Aye" Vote. Motion to waive second reading

approved. Motion by Lawson to Adopt Ord.31-2023. Second by Cole. Roll Call Vote. All in Favor "Aye" Vote. **Ord.31-2023 Adopted**

Comment – Mayor Johns – Thank Council for waiving the second read on Ord. 31-2023 and its passage to continue the process. There is a sequence and a timeline when things need to happen when doing annexations.

### **Ordinances on Second Read:**

**Ord.22-2023** An ordinance authorizing the appropriation and transfer of \$661.23 within the General Fund to Squad Supplies – Motion by Porter to Adopt Ord.22-2023. Second by Lawson. Roll Call Vote. All in Favor "Aye" Vote. **Ord.22-2023 Adopted**

**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 – Motion by Crabill to Adopt Ord. 23-2023. Second by Lawson. Roll Call Vote. All in Favor "Aye" Vote. **Ord.23-2023 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 – Motion by Crabill to Adopt Ord. 26-2023. Second by Lawson. Roll Call Vote. All in Favor "Aye" Vote. **Ord.26-2023 Adopted**

### **Reports of City Officials:**

**Mayor** – Welcome guests! Like to echo Bob's comments. I want to thank the members of COMBO Association for taking the time and being willing to make changes to The MOU that was originally drafted for the project at the Forry Preserve. Thank the members of the public who took the time and sat down with them over their concerns that they and others had on the MOU. I think the product that was produced after the last meeting was even better. Appreciate the efforts of COMBO and the representatives. Excited to see this area and what it can become for the entire community. I know Bob will stay engaged during the project.

I also want to thank Ginna! She always organizes when we have guests. Like this evening with The Bowling Team. She calls the coaches and gets all the information to write the proclamations, set up, ordering cake, punch and does it all. Thank You, Ginna.

We had this evening executive session after our finance meeting. Contract negotiations which are one of the least favorite things I do in my job as mayor. However, I would like to recognize the efforts and happy with the representatives representing our employees and the bargaining units during this process. This part does help me in hearing from employees. I just wanted to take the time to recognize them.

**Auditor J. Morrow** – Congratulations to The Bowlers and Coaches. Coach White has taken a team to the states for seven straight years! Congratulations to COMBO and the citizens. They all met last Friday and that's what it is all about. They came together and made an agreement and brought it to council. Once again... Making Heath Great!! Thank You!

**J. Crabill** – Welcome Visitors! Congratulations to The Bowling Team. Collaborative efforts and a great sense of community pride watching this group come together and do what they did. Fantastic! Thank You!

**C. Lawson** - Welcome Visitors! Congratulations to The Bowling Team! Looking forward to see what will be done at The Forry Preserve. Proud of everyone working together.

**D. Cole** – Welcome Guests! Congratulations to The Bowling Team. I also want to thank all of you for coming together and making the Forry Preserve Project such a collaborative effort. The last meeting was a little different. I forgot my iPad and just having carpal tunnel surgery tried to write everything down and capture everyone's concerns. Thank you, Bob, for all of your efforts and time he has put in at all the meetings. Thank everyone involved for their extra time to make it a better place for the city.

**Porter** – Welcome to our visitors! Congratulations to The Bowling Team. Thanks for working everything out. Appreciate it!

**P. Moretti** – Thanks for all of the phone calls and to COMBO for sitting down and working everything out. Thank You, Bob for all of my phone calls. Glad to see everything at the end all worked out. Appreciate everyone's efforts.

**Chief McCord** – Congratulations to the Bowlers. They had a fantastic year! I know they don't get a lot of recognition so it is great to see them here tonight. Coaches have done a fabulous job over the last several years!

**Chief Haren** – Congratulations Bowlers!

**J. Lane** – Welcome Guests! Congratulations - Heath High School Bowlers! Reflecting on The City of Heath Motto "City of Progress" ... Displayed this very well with your collaboration and improvements. Looking forward to the improvements and right in my backyard on the trails. Thank You!

**B. Geller** - Congratulations to the bowlers!

**J. Geller** – Congratulations to the bowlers!

**T. Kelley** – I don't want to be redundant and repeat everything others have said ... Move on to

**Miscellaneous:** Motion by Porter to take Res. 2023-05 off the table. Second by Moretti. Roll Call Vote. All in Favor "Aye" Vote. Res.2023-05 motion approved take Res. 2023-05 off the table. Motion by Porter to amend Res. 2023-05 - Second by Moretti. Roll Call Vote. All in Favor "Aye" Vote. Clerk Read **Res.2023-05** A resolution approving a memorandum of understanding between Central Ohio Mountain Biking Organization and the City of Heath. - Motion approved to amend Res.2023-05. Motion by Porter to approve as amended. Second by Moretti. Roll Call Vote. All in Favor "Aye" Vote. Motion to approve as amended. Motion by Porter to adopt

as amended Res.2023-05. Second by Moretti. Roll Call Vote. All in Favor "Aye" Vote.  
**Res.2023-05 Adopted as amended**

Motion by Crabill - Adjourn – Second by Lawson– All in Favor "Aye" Meeting Adjourned.

  
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Clerk of Council

  
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President of Council