



CITY OF HEATH

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HEATH CITY COUNCIL

April 15, 2024

REGULAR COUNCIL MEETING

President Tim Kelley called the Regular Meeting of Heath City Council to order April 1, 2024 at 7:30pm. The invocation was delivered by D. Morrow, the Pledge of Allegiance followed. G. Peterson called Roll Call with council members J. Crabill, D. Morrow, J. Roberts, T. Kelley, P. Moretti, and A. Porter in attendance. Motion by J. Crabill to excuse D. Cole, second by J. Roberts. All in favor by aye vote. D. Cole is excused. D. Morrow made a motion to approve the minutes of the Regular Meeting March 18, 2024, second by J. Crabill. All in favor by aye vote. **Minutes Approved.** Mayor Johns, Law Director Morrison, and Auditor J. Morrow in attendance.

Special Orders and Committees: Mayor presented a Proclamation to Carter Higgins – Heath High School Indoor Track accomplishments

Petitions and Communications: Ohio Liquor Control – D1- Club at Forest Hills LLC - 811 Forest Hills Road. Motion by Crabill to waive a public hearing, second by Porter. All in favor by aye vote. Motion by Crabill to receive and file the communication, second by Porter. All in favor by aye vote.

Committee Reports:

Finance/Budget: Crabill reported met this evening at 6:41pm. Motion by Crabill to approve the minutes of March 18, 2024, second by Porter. All in favor by aye vote. Minutes approved. The following items were discussed:

Legislative Requests:

1. An Ordinance authorizing the execution and delivery of Development Agreement by and between the City and Ciminello Land Co. LLC in connection with a mixed-use development planned for approximately 320 acres located in the City of Heath and authorizing related actions. Ord. 21-2024
2. An Ordinance authorizing and directing the Mayor of the City of Heath to advertise and receive bids for the Franklin Avenue Waterline Replacement Project and to allow him to accept and entering into contract with the lowest and best bid for the project. Ord. 22-2024
3. An Ordinance appropriating \$11,500.00 within the Capital Improvement Fund to Comm-Other Equipment to be used to replace the generator at the Blue Jay Rd. Tower Site.
4. A Resolution committing approximately \$300,000.00 to assist in the construction of a pickleball facility at Geller Park and requesting that the State of Ohio also support the City's application for an appropriation in the State's 2024 Capital Budget. Res 2024-03

5. An Ordinance approving agreement expanding the Union Township-Heath Joint Economic Development District No. 1 and authorizing and directing the Mayor to execute it on behalf of the City of Heath. Ord. 23-2024
 - Public hearing was scheduled for May 20, 2024

Other Items:

- Approve MTD/YTD Fund Report as to form
- Ohio Ethics Commission
- Discuss process of rules of future Special Meeting Notices

Meeting adjourned at 7:02pm.

Public Services: D. Morrow stated they met on March 25, 2024 at 5:30pm. Utilities Director John Geller first discussed water. The well pump is installed on well #10. Still waiting on the steps. Internal piping connection is being completed – should be completed in a couple of weeks. We accepted bids on March 21st. Engineers estimate was \$350,000 and the low bid by Martin Painting of Springfield was \$264,994.

Wastewater: The blower at Horner Company is still being reviewed and will need updated. Since the confidence in Horners has left, the second blower has been sent to Lamson and Hoffman in St. Peters, Missouri. Currently renting a blower. The 15-inch sewer line near Central Parkway project was evaluated. Three flat spots showed on the model. May have to redo the lines in those areas. We then discussed the water and wastewater 5-year plan. Much coming up in that time span. Following the review of the 5-year capital improvement sheet and the funds, the meeting was adjourned at 6:43pm.

Public Safety: Porter – will meet April 15, 2024 at 5:30pm

Streets and Drainage: Roberts – met this evening at 5:32pm. Following items were discussed:

- 1) Changing all of the traffic light bulbs to LED
- 2) Going out to bid on April 5th for the 2024 street paving
- 3) Replacing catch basins on SR79
- 4) The sink hole in the Fox Run division

The meeting adjourned at 6:00pm.

Community Development and Zoning: Moretti – will meet on April 8, 2024 at 5:30pm

Parks, Recreation, Davis-Shai: D. Morrow – The Parks and Recreation Committee was called to order tonight at 6:01pm. Director Bob Geller first gave the pool update. Plan to open June 1st through August 18th. Updates to restrooms, walk way, and to spruce up other areas. 230 applicants have applied, 141 guards. Swim lessons will be from June 10th through June 20th. Bob visited pickleball courts in South Carolina. April 8th is the deadline for the State application. Softball leagues are now forming. The brick pillars at Geller Park have been repaired and moved. The shelter house at Hoback has been remodeled. With nothing else to discuss, the meeting was adjourned at 6:40.

Planning Commission: Crabill – met March 28, 2024 at 7:00pm. Two agenda items:

- 1) Lot Split 2-2024 for Mid-Ohio Development on Thornwood Drive for Univar Solutions. 30-acre lot split approved.
- 2) Firestone – Final Plans – 733 Hebron Road. Those were approved.

Meeting was adjourned at 7:54pm.

Ordinances on First Read:

Ord.21-2024 Auth. the execution- Development Agreement between City and Ciminello Land Co. 320 +/- acres. Held for second reading

Ord.22-2024 Auth. and directing the mayor advertise bids - Franklin Ave. Waterline Replacement Project. Held for second reading.

Ord.23-2024 Approving agreement expanding Union Township- Heath Joint JEDD. Held for second reading. Public hearing will be held May 20, 2024 at 7:00pm at the Heath Municipal Building. The purpose is to consider a contract to expand the joint economic development district in Union Township under Revised Code section 715.72. The hearing will allow for public comment and recommendations on the contract and zone. The documents specified in Revised Code section 715.72 (I) are in the office of the Clerk of Council and available for public inspection by emailing councilclerk@heathohio.gov or calling 740-522-1420 x208.

Ordinances on Second Reading

Ord.11-2024 Authorize appropriation \$10,000 within Cap. Improv. to Parks – Lights Hoback Park. Motion by Morrow to adopt Ord 11-2024, second by Porter. Roll Call vote. All in favor by aye vote. **Ord 11-2024 adopted.**

Ord.12-2024 Authorize appropriation \$27,000 within Cap. Improv. to Parks – purchase Gator. Motion by Morrow to adopt Ord 12-2024, second by Moretti. Roll Call vote. All in favor by aye vote. **Ord 12-2024 adopted.**

Ord.13-2024 Authorize appropriation \$96,000 within Cap. Improv. to Parks – wide area mower. Motion by Morrow to adopt Ord 13-2024, second by Moretti. Roll Call vote. All in favor by aye vote. **Ord 13-2024 adopted.**

Ord.14-2024 Authorize appropriation \$24,000 within Cap. Improv. to Parks – 2 mowers. Motion by Roberts to amend – replacing all mention of the word “Parks” to “Streets”, second by Moretti. Roll Call vote. All in favor by aye vote. Motion to amend is approved. Motion by Roberts to adopt Ord 14-2024 as amended, second by Moretti. Roll Call vote. All in favor by aye vote. **Ord 14-2024 is adopted as amended.**

Ord.15-2024 Authorize appropriation \$120,000 within Municipal Lic. Tax Fund to Storm Sewers, curb inlets for 2024 Paving Project. Motion by Roberts to adopt Ord 15-2024, second by Porter. Roll Call vote. All in favor by aye vote. **Ord 15-2024 is adopted**

Resolutions on First Reading

Res.2024-03 Committing to assist with construction pickleball facility - Geller Park - application for appropriation in the State’s 2024 Cap. Budget. Motion by Morrow to waive the second reading of Res 2024-3, second by Moretti. Roll Call vote. All in favor by aye vote. Motion to waive the second reading of Res 2024-03 is approved. Motion by Morrow to adopt Res 2024-3, second by Porter. Roll Call vote. All in favor by aye vote. **Resolution 2024-3 is adopted.**

Reports of City Officials:

Mayor Johns: Welcome to the guests who stuck around. I want to take a minute to reflect on former Mayor Dan Dupps. I was sad to hear of his passing. He had been facing some significant health challenges in the recent weeks. I remember when I first became Mayor, shortly after I took office, I remember having a meeting where Mr. Dupps and Lowell Scott came into my office to talk about some of the important work that Heath Sertoma, which they were both members of, did in the community. And having sat in the chair that I was sitting in, he talked to me a little bit about the good days and the bad days that you have in this role and he was right. I always enjoyed seeing him and even though he had retired, he was obviously spending a lot more time with his family, he definitely kept up on what we were doing in the city. The things – the exciting things- that he was seeing that we were doing and he would comment to me just about whenever he would see me how great of a job he thought I was doing and how he appreciated what I was doing in my role and what we were doing as a city to continue to be the city of progress and citizens with pride. It's ironic maybe that tonight we're taking up for first reading Ordinance 21, which deals with the development agreement on what is an area of our city that - I will tell anyone - no one in this city worked harder to try to bring about the type of development that we are advancing toward on the Red Chip Farms property, the former VanVoorhis property, there's nobody in this city who worked harder to make this dream become a reality than Dan Dupps. I had hoped that as we are putting in place the different agreements, and mechanisms, and elements that will make this a fantastic area in this community - that I hoped one day we would be having a ribbon cutting maybe on the extension of Central Parkway going out into the farm or whatever and that we were going to be able to have Dan Dupps there holding the scissors and cutting the ribbon. Unfortunately, with his passing, that isn't going to come to pass. The impact that Dan had in this community through the school system, including being the superintendent, and then serving for 10 years as mayor, and then even though he stepped away from those roles, continuing his involvement through the work of Heath Sertoma, Dan has a legacy in this community. I think it's fitting that we remember his service and contributions to this community. That we mourn his death and that we keep his wife Shirley and his family in our prayers throughout this week. That's all, Mr. President. Thank you.

Auditor Morrow: Welcome to the guests who stayed that dad didn't clear out while giving your committee speech. As soon as you started, they all left. Congratulations to Carter Higgins. It's been neat watching him grow up and hopefully he has a good spring and, going to Indiana Wesleyan, good luck in the future. Condolences to the Dupps family.

Law Director Morrison: Echo what Mayor Johns said about Mayor Dupps. He was a very good man. I do have a report. Two matters. First, the Revised Code requires City Council to have rules for the method of notifying the public of the time and place of meetings of Council and committees and commissions and boards. So, I prepared an initial draft of proposed rules to comply with the Ohio Revised Code section. My intention was to make the rules consistent with the practice – not to change anything. So, there were questions as to where the changes came from and why so, that's the reason. Of course, I would like everybody to look it over and give approval of it. I believe I have it the way we're doing it now, but that doesn't mean you might want it changed. There are all sorts of technological improvements now that you might want to incorporate. The second is in regard to Ordinance 23-2024. The exhibit attached to the ordinance is labeled "Union Township JEDD Map" so I took that to mean, mistakenly, that it was the current JEDD. I was told a couple minutes ago that it was probably intended to illustrate the additions to

the district. So, that means I'll have to make an amendment to Section 1 of the ordinance and read a second time with a motion to amend and adopt as amended. (Mr. Kelley then stated that we'll need an amended exhibit). This just shows the additions so, if there is one that shows the whole district, we can just do that and I wouldn't need to change the text. I'll have to do one or the other. (Mayor said he will figure it out and that our role in the JEDD is simply the tax administrator. Mr. Morrison will need to discuss with Mr. Connelly if this language is what Union Township adopted. If so, that they will need to fix it on their end.) Mr. Morrison asked the Township for a copy of their resolution. He has yet to receive it.

Mr. Roberts: Welcome visitors. Congratulations Carter. Awesome accomplishment. Very good summary about Mayor Dupps by Mayor. He was school superintendent when I was a student and he was Mayor when I was City Engineer for quite a while. There are certain people that you will never forget their impact on our city and personally and he would have been one of those people.

Mr. Crabill: Welcome visitors, Congratulations Carter Higgins. Condolences to the Dupps family. The legacy that man had on our school system and our government – it's hard to find anyone who's been more impactful.

Mr. Porter: Condolences to Dupps family. Welcome to the guests and the guests that left. Congratulations Carter.

Mr. Morrow: Congratulations Carter. Dan Dupps served the city many, many ways. If you were to call anybody a true "Mr. Heath" it was Dan Dupps. He was a great man and somebody I was proud to say was my friend.

Mr. Moretti: Welcome visitors. Condolences to the Dupps family.

Mrs. Peterson: So weird to be up here making comments and not as a visitor. I would like to say welcome to the visitors. Some of my favorite visitors we've ever had. Seeing what the last few weeks have been like for the Dupps family, my heart hurts for all of them. I know Dan is not in pain anymore, but it just stinks. I always loved seeing him out and about. I always seemed to see him at Kroger and he always gave me a really big hug and I will most certainly miss that. Condolences to the Dupps family. Appreciate the kindness and somewhat sassy comments tonight.

Chief McCord: Condolences to the Dupps family. Congratulations to Carter on his accomplishments.

Chief Haren: Condolences to the Dupps family. Congratulations to Carter and his goals for the future.

Mr. Lane: Condolences to the Dupps family. Welcome guests. Congratulations to Carter Higgins. Invite everyone to come support the track team on Thursday night in the awful weather. Good job, Ginna.

Bob Geller: Just a couple comments on Mr. Dupps. I always call him Mr. Dupps because he was my senior government teacher. One of my favorite teachers I ever had. When you were in his class he would ask personal questions. He would ask questions that were really good like what you were thinking and what you were meaning. He always took an interest in his students. I'll always remember that. Then he became superintendent and I was coaching at the time and, every once in a while, I got called on the

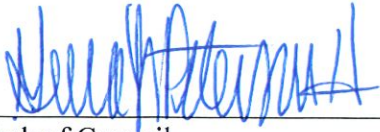
carpet and have to go to the superintendent's office and that's usually not good. So, he always supported me as long as I made a few adjustments along the way. He was a very big supporter of me. Then as mayor, he was very insightful. He helped purchase the Forry Preserve where the mountain bikers are now. He helped with that acquisition and through a lot of recreation activities. I appreciate Mayor Johns doing the same thing. But I always appreciated how he took an interest in people. He will be missed very much.

Ms. Shepherd: Congratulations Carter. Condolences to the Dupps family.

John Geller: Congratulations Carter. I, too, wanted to mention Mr. Dupps. Any time I would see him out, he would always praise what a good job they were doing at the city. He always mentioned how things were going and how good he thought things were going. I also had him in school as well. Me and Jeff both did. He was our Principal. Jeff spent most of his time in the Principal's office.

Mr. Kelley: I was a year behind those two characters. I had Dan as a Principal and when I was a sophomore, Dan was in the American Legion at the time so I had a relationship with him through that. Dan Dupps lives either three houses away if you go on the right-hand side of the street or six houses away if you go on the left-hand side of the street. Whenever I was going to council, if he was out mowing the yard or just getting the mail, I'd always have to put my window down and we had to have a little window talk or if I was coming back, like going to Kroger, I'd see him there and we'd have to put the window down and talk. I probably saw Dan more in the casino than I ever saw him in Kroger. When I used to do the bus trips for the junior class fundraiser for after prom, he and Shirley went on every one of those trips and he couldn't wait. He would always ask me "when are you going to do another trip?" I can't remember the last time I saw him at Scioto Downs. I think it was in January. It wasn't that long ago. He and Shirley were there. I kind of miss that little connection. He was really great. He was mayor when I first got on Council and it was interesting the way he did stuff. When he was mayor, Heath didn't have very much money. We were going to have to lay off people, did away with part-time. There was a lot of stuff that he had to be in charge of to keep the city afloat. He did a great job getting us through that period. I also knew Dan from Heath Sertoma. As long as I was in Heath Sertoma, he was in Heath Sertoma. He's really going to be missed. He's done a lot. It's too early now, but we need to start thinking about something we can name after him. Either some new park, or some new facility or something. We need to start thinking about that. Most of the past mayors have something named after them. Keep that in the back of your mind. Now switching gears completely, Mr. Dick Morrow is planning to move out of his house. We will need to replace him. He's irreplaceable, but somebody to fill his seat. I don't know exactly how we want to go about doing that, but the six remaining Council Members will need to pick his replacement. It will have to be someone from the Second Ward. I guess the question is, do we want to put out a notice that says the position will be open and people send in resumes and stuff like that and then when we get them in and do an interview? I forgot to talk about it in caucus. I think Dick is planning on May 31st? Depending on how fast your property sells. Once he finally moves and sells his property, we'll have 30 days to get a replacement so that's why I want to mention it now to start thinking about it. Once Tracy gets back, maybe she can put a notice out and get the ball rolling. (Mayor said he thinks it's good practice to make it known that the unexpired term will need to be filled and give people an opportunity to be considered.) Does anybody else have anything else on this topic? (Ginna stated that she doesn't like it. Dick commented that it was a good thing her vote doesn't count.)

Motion by Mr. Crabill to adjourn, Second by Porter. All in favor by aye vote. Meeting adjourned at 7:49pm.



Clerk of Council



President of Council