



CITY OF HEATH

Mark D. Johns
Mayor

Jay R. Morrow
Auditor

David C. Morrison
Director of Law

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HEATH CITY COUNCIL

Sept. 18, 2023

REGULAR COUNCIL MEETING

President Tim Kelley called The Regular Meeting of Heath City Council to order Sept .5, 2023 at 7:30pm. The Pledge of Allegiance followed. The Invocation delivered by Porter. T. Dupps called the Roll Call with Council Members; Cole, Morrow, Crabill, Porter, Roberts, Moretti, Kelley. Morrow moved to approve the minutes of the Regular Meeting Sept. 5, 2023. Second by Roberts. All in Favor "Aye" Vote. **Minutes Approved**. Mayor Johns, J. Morrow Auditor. D. Morrison Law Director in attendance.

Elections and Appointments:

Fire Chief McCord and the swearing in by Mayor Johns

4 New Firefighters/EMTS

Jacob Gibson
Richard Harris
Parker Kussmaul
Chase Robinson

Petitions and Communications:

Memo from Clerk of Council Sunshine Law Training Designee.
Memo from Administrative Assistant Mayor Mark Johns Sunshine Law Training Designee
Motion by Cole to receive and file communications. Second by Porter. All in favor "aye" vote.
Motion carried to receive and file communications

Committee Reports:

Finance/Budget: J. Crabill met this evening at 6:07 p.m. The following were discussed:

Approval of minutes: August 21, 2023 Committee Meeting. Motion by Porter to approve the minutes – Second by Cole. Roll Call Vote-All in Favor "Aye" Vote – Minutes approved
Auditor Jay Morrow began the Finance & Budget Meeting at 6:07p.m.

Legislative Request:

- 1) An Ordinance enacting the new sections of the codified ordinances – market electronic nicotine delivery systems.
- 2) An Ordinance amending section 925.07 of the codified ordinances of the City of Heath, Ohio, regarding bulk water sales. Water sales to bulk haulers shall be charged at the rate of fifteen dollars (\$15.00) for each one thousand five hundred (1500) gallons or any part thereof.
- 3) An Ordinance amending section 921.01(z)(1) of the Codified Ordinances of the City of Heath, Ohio, concerning water capacity fee charges and repealing the existing section 921.01(z)(1).
- 4) An Ordinance amending section 921.01(z)(3) of the Codified Ordinances of the City of Heath, Ohio, concerning sanitary capacity fee charges and repealing the existing section 921.01(z)(3).
- 5) Memorandum of Agreement with FOP
- 6) An Ordinance authorizing the appropriation of \$8,000.00 within the General Fund to Income Tax – Other Services to be used to contract with CMI for lifetime access for Income Tax.

Other Items:

Motion by Cole to Approve MTD/YTD Fund Report as to form. Second by Porter. Rollcall vote. All in favor “Aye” Vote. Approved

Discuss the flooring and chairs in the Council Chambers. Purchase of chairs and carpet squares and installation.

Crabill moved to adjourn into executive session at 7:00 p.m. under Article ORC – Article 121.22 Section (G)(4). Second by Porter. A rollcall vote was taken, and all members present voted in favor of the motion. This discussion was limited to the specific statutory reason for the executive session, as set forth in Crabill's motion. At the conclusion of the discussion, the committee went back on record. The meeting was adjourned at 7:18 p.m.

Finance Committee adjourned at 7:18 p.m.

Public Services: D. Morrow met Aug. 28, 2023 at 5:31 p.m.

The Public Service Committee meeting was called to order on August 28, 2023 at 5:29 p.m. Utilities Director John Geller first discussed Well # 10. The transmission line is completed. It will be flushed and bacteria tested soon. The well house construction is underway. The water distribution valve turning program is over for the year. 8 of 300 failed and repaired. The well field testing is complete. Some concern. The recovery time took longer than expected. This also brings concern on the southwest licking program. Cost estimates for the west side residential water development project was discussed. Hoping the estimate was high.

Wastewater: The generator is set and wire is being pulled from the plant. Still awaiting the switch gear. A barrier will need to be installed around the unit. The possible need for a second wastewater plant was discussed. An 8–9-acre tract is being pursued. The Canyon Road area sewer study was discussed. Two legislative requests were presented. With nothing else to discuss, the meeting was adjourned at 7:06 p.m.

Public Safety: A. Porter will meet Sept. 18, 2023 at 5:30 p.m.

Streets & Drainage: J. Roberts met this evening at 5:30 p.m.

Bob Geller gave us a current overview on the street paving. We have had some difficulties with the current contractor. Thanks to Bob Geller for staying on top of that. Those issues are being addressed. Also reported that the street building has been delayed due to an illness with the contractor and looking for options for that. The mums will be going into the median soon which is a sign winter is coming. There is a lot of construction going on in the city due to the streets. Keller Drive railroad crossing was completed last week and included a bike path crossing on the west side of the street. Irving Wick Drive railroad crossing at the eastern most corner of the Port Authority is under construction right now so that is closed. Once that reopens next week Thornwood Drive will close as well as Hallie Lane. Those closures will last a considerable amount of time with reopening in November timeframe. There is a lot of construction going on with really good projects on the roadway systems on the west side of town.

Other items discussed:

A citizen concern with the sight distance on Irving Wick Drive coming off the bridge from South Fork Road. We talked about Mr. Geller checking in with some options for that.

The meeting adjourned at 5:45 p.m.

Community Development & Zoning: P. Moretti will meet Sept. 11, 2023 at 5:30 p.m.

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

Called to order at 5:45 p.m.

- 1). Pool Report – The pool report will be presented at the October meeting as we're still waiting on a lot of expenses to be processed. At the end of July, we were up \$6,000 but anticipate a loss after remaining expenses are processed.
- 2). Replaced the pool heater at a cost of \$27,372.50
- 3). Pickleball courts update – Have reached out to Pat Murphy and are waiting to hear back. The word is getting out that we are exploring the possibility of having pickleball courts and citizens are getting excited. If we don't hear back from potential donors, the city might want to consider putting some money toward this project.

- 4). Under other items Bob reported that people are really taking advantage of the Disc Golf now available at Geller Park.

The meeting adjourned at 6:07 p.m.

Planning Commission: J. Crabill met July 28th at 7:00 p.m.

2 New Items on Agenda:

- 1). Storage unit plan changes at 389 South 30th Street. Asking for a variance for the height of the fencing around the retention pond. Approved
- 2). White Sparrow at 675 Heath Road. Final Plan approval for Phase I was approved.

Other Items:

Jared Lane Chief of Building and Zoning. There was a clarification at White Sparrow that the private fire hydrant is not going to be required until Phase II is constructed for the venue. This is because of the existing fire hydrant up on Heath Road that can accommodate the storage building that was approved for Phase I.

Reminder Special Planning Commission meeting on Sept. 14, 2023 at 7:00 p.m.

Ordinances on First Read:

Ord.69-2023 An ordinance authorizing the appropriation and transfer of \$514 within General Fund to Police – Law Enforcement Trust Fund – Misc. – Held Second Read

Ord.70-2023 An ordinance authorizing the appropriation and transfer of \$23,000 within the Law Enforcement Trust Fund to other Equipment – Held Second Read

Ord.71-2023 An ordinance approving a proposed District Income Tax Collection and Distribution Agreement with Union Township, Licking County, Ohio, and 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 – Held Second Read

Ord.72-2023 An ordinance enacting new Sections 521.16, 521.17, and 521.18 of the Codified Ordinances of the City of Heath, Ohio to prohibit the marketing of electronic nicotine delivery systems that have not obtained premarket authorization from the federal Food and Drug Administration, renumbering existing Sections 521.16 and 521.17, and amending Section 521.99 – Held Second Read

Ord.73-2023 An ordinance amending section 925.07 of the Codified Ordinances of the City of Heath, Ohio, concerning bulk water sales charges and repealing the existing section 925.07 - Held Second Read

Ord.74-2023 An ordinance amending section 921.01(z)(1) of the Codified Ordinances of the City of Heath, Ohio, concerning water capacity fee charges and repealing the existing section 921.01(z)(1) – Held Second Read

Ord.75-2023 An ordinance amending section 921.01(z)(3) of the Codified Ordinances of the City of Heath, Ohio, concerning sanitary capacity fee charges and repealing the existing section 921.01(z)(3) – Held Second Read

Ordinances on Second Read:

Ord.60-2023 An ordinance authorizing the appropriation and transfer of \$63,000 within the Capital Improvement Fund to Park – Vehicles to purchase 4x4 SD Crew Cab with plow and accessories – Motion by Cole to adopt Ord.60-2023. Second by Roberts. Roll Call Vote. All in favor “Aye” Vote. **Ord. 60-2023 Adopted**

Ord.61-2023 An Ordinance amending section 40.44 of the Rules of the Heath Civil Service Commission – Motion by Crabill to adopt Ord.61-2023. Second by Cole. Roll Call Vote. All in favor “Aye”. Vote. **Ord.61-2023 Adopted**

Ord.67-2023 An ordinance authorizing the appropriation and transfer of \$15,000 from the Capital Improvements Fund to Park – Independent Service Contracts to repair a bridge – Motion by Cole to adopt Ord.67-2023. Second by Roberts. Roll Call Vote. All in favor “Aye” Vote. **Ord.67-2023 Adopted**

Ord.68-2023 An ordinance authorizing the appropriation and transfer of \$46,402.73 from the Capital Improvements Fund to Street – independent Service Contracts for street rejuvenation – Motion by Roberts to adopt Ord.68-2023. Second by Crabill. Roll Call Vote. All in favor “Aye” Vote. **Ord.68-2023 Adopted**

Reports of City Officials:

Mayor – Welcome to our visitors who are here in attendance tonight. I mentioned in our Finance meeting earlier one of our Police Officers Andy Moone and his family are experiencing a heartbreaking situation. Their son is at Nationwide Childrens Hospital. He has a very, very serious medical condition. I would ask council, department heads and everyone to look at our Heath City FB Page posted and links to follow to see his story. I would encourage you to do so if you have not already. Ask everyone to offer prayers to Andy and his family and any financial contributions you feel comfortable giving to them. They are dealing with what would be every parent’s nightmare. Thank You.

Auditor J. Morrow – Welcome guests! Congratulations to our new firefighters!

Law Director Mr. Morrison – Congratulations to our new Firefighters/EMTS!

D. Cole – Welcome to all of our guests. Congratulations and welcome to our new firefighters. Prayers out to Officer Moone and his family.

J. Roberts – I have several things to mention this evening. The write in for candidacy, I have for Council At- Large the deadline has passed and I was the only one for a write in candidates. There apparently was an objective period. Interesting that time has passed. Looks like I should be good. I did want to thank Bob Geller. I rode the bike trial this weekend. The patching was done where the roots uplifted the path. It was smooth as silk. That was awesome! Also, a heads up for the Sept. 18th meeting. I will be flying home that day from New York. If everything goes well, I will be here in time for all the meetings. Last comment... Word has been seeping out. I am actually making a career change. It will be public this week that I will be the new Executive Director at SWL Water & Sewer. Sure, the question is... Why would I want to do this? Answer is... I believe I am the right man for the job. Interestingly it will eliminate conflict of interest that had anything to do with Verdantas but it will generate new conflict of interest that we have with SWL Water & Sewer, so I will not be able to participate in those discussions. That role begins Oct. 23, 2023. 7 weeks away but wanted everyone to be aware of that.

J. Crabill – Welcome Visitors! Congratulations to our new Firefighters/EMTS. Thoughts and prayers to The Moone Family.

P. Moretti – Welcome Visitors and Congratulations to our new Firefighters! Congrats to Jim. Also like to thank Chief Haren and Sgt. Peterson. I did a ride along last Friday with Sgt. Peterson. I really appreciate the time. Thank you very much.

D. Morrow – Welcome to the guests, visitors and also the Firefighters families. Congratulations to the Firefighters.

A Porter – I have a few things this evening. Prayers to the Moone Family. Congratulations to the four new Firefighters. Special congratulations to Jacob Gibson one of the first Firefighter that was sworn in this evening. I coached him at Licking Valley in golf. That is why he is a Firefighter and not a professional golfer. Jim, I don't think you like to cause conflict. I just think you like to create conflict to recuse yourself from doing it.

T. Dupps – Congratulations to the new Firefighters. Welcome aboard. Continued thoughts and prayers to the Moone Family.

B. Shepherd – Congratulations to the new Firefighters. Thoughts and prayers to The Moone Family.

B. Geller – Congratulations to the Firefighters. Prayers to The Moone Family.

J. Lane – Prayers to The Moone Family. Congratulations to Jim on your new position for SWL. I know you will be an incredible asset there as they continue to grow. Also, I want to recognize one of Heath's Cross Country runners that runs with my son. Tucker See Division II for the State of Ohio. Just released rankings and Tucker is ranked 15th in the State of Ohio for Cross Country. He has done incredible the last year or so.

J. Lane – Prayers to The Moone Family. Congratulations to Jim on your new position for SWL. I know you will be an incredible asset there as they continue to grow. Also, I want to recognize one of Heath's Cross Country runners that runs with my son. Tucker See Division II for the State of Ohio. Just released rankings and Tucker is ranked 15th in the State of Ohio for Cross Country. He has done incredible the last year or so.

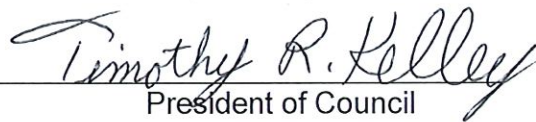
Chief Haren – Appreciate all of the thoughts and prayers for The Moone Family. They are a strong faith-based family so this would be most appreciated. These are challenging times to come on so unexpectedly. I can't imagine being in their shoes. Whenever you can think and pray for them. They would greatly appreciate it.

T. Kelley – Jim, how do we do the write-in for you on the ballot? Jim reply "I am not sure exactly but my name is on there James D. Roberts."

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



Clerk of Council



President of Council