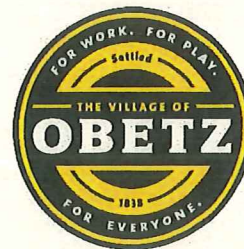


**VILLAGE OF OBETZ  
RECORD OF PROCEEDINGS**



**REGULAR MEETING OF DECEMBER 14, 2020**

The meeting was held in Council Chambers at the Government Center, 4175 Alum Creek Drive, on Monday, December 14, 2020 at 6:00 PM with Mayor Angela M. Kirk presiding.

**ROLL CALL**

Ms. Boumis called the roll. Mr. Michael Flaherty – present; Mr. Robert Kramer – present; Mr. Guiles Richardson – present; Mrs. Bonnie Wiley – present; Mr. Derek Varney – present; Mr. Mike Kimbler – present.

**APPROVAL OF MINUTES**

Mayor Kirk called for a motion to approve the minutes of the November 9, 2020 meeting. Motion made by Mr. Richardson; seconded by Mr. Flaherty. Voting as follows: Mr. Varney – yes; Mrs. Wiley – yes; Mr. Flaherty – yes; Mr. Kramer – yes; Mr. Kimbler – yes; Mr. Richardson – yes.

**ORDINANCES**

**First Readings**

No first readings.

**Second Readings**

Ms. Boumis read Ordinance 56 – 20: An Ordinance To Approve The 2021 Permanent Appropriations Of All Funds For The Current Expenses And Other Expenditures Of The Village Of Obetz.

**Third Readings**

Ms. Boumis read Ordinance 51 – 20: An Ordinance To Authorize The Administrator To Enter Into An Amendment To The Toy Road Community Reinvestment Area Agreement By And Between The Village Of Obetz, CP One LLC, And Columbus Dev I LLC, And Declaring An Emergency. Ms. Boumis discussed the Ordinance. She stated that there is one small piece of land remaining in the Centerpoint Business Park. Due to the size, it will be difficult to develop. The Ordinance expands the time to develop the property and still receive tax incentives. Mayor Kirk called for a motion to approve Ordinance 51 – 20. Motion made by Mr. Richardson; seconded by Mr. Kimbler. Voting as follows: Mr. Varney – yes; Mrs. Wiley – yes; Mr. Flaherty – yes; Mr. Kramer – yes; Mr. Richardson – yes; Mr. Kimbler – yes.

Ms. Boumis read Ordinance 52 – 20: An Ordinance To Accept The Annexation Of 18.943 +/- Acres From Hamilton Township To The Village Of Obetz And Declaring An Emergency. Ms. Boumis stated that the developer is going through the zoning process at this time and wants to have the zoning approved at the same time as the annexation acceptance and has requested that the Ordinance be tabled. Mayor Kirk called for a motion to table Ordinance 52 – 20. Motion made by Mr. Richardson; seconded by Mr. Varney. Voting as follows: Mr. Varney – yes; Mrs. Wiley – yes; Mr. Flaherty – yes; Mr. Kramer – yes; Mr. Richardson – yes; Mr. Kimbler – yes.

### Emergencies

Ms. Boumis read Ordinance 59 – 20: An Ordinance To Authorize The Administrator To Execute A Storm Sewer Easement To COP Obetz, LLC, And Declaring An Emergency. Mr. Hollins discussed the Ordinance. He stated that the easement allows stormwater to flow across Village owned land into the stormwater detention pond. The overland flow will be eliminated once more land is developed. Mayor Kirk called for a motion to suspend the rules regarding the adoption of Ordinance 59 – 20. Motion made by Mr. Flaherty; seconded by Mr. Kimbler. Voting as follows: Mr. Varney – yes; Mrs. Wiley – yes; Mr. Flaherty – yes; Mr. Kramer – yes; Mr. Richardson – yes; Mr. Kimbler – yes. Mayor Kirk called for a motion to approve Ordinance 59 – 20. Motion made by Mr. Richardson; seconded by Mr. Flaherty. Voting as follows: Mr. Varney – yes; Mrs. Wiley – yes; Mr. Flaherty – yes; Mr. Kramer – yes; Mr. Richardson – yes; Mr. Kimbler – yes.

Ms. Boumis read Ordinance 60 – 20: An Ordinance To Repay An Advance To, And Transfer The Unexpended Balance Of, The West Side Storm Sewer And Road Project Fund, To Close The West Side Storm Sewer And Road Project Fund, And To Declare An Emergency. Mr. Davisson discussed the Ordinance. He stated that this project has been over for years and this is just accounting. The fund needs to be paid back before it can be closed. Mayor Kirk called for a motion to suspend the rules regarding the adoption of Ordinance 60 – 20. Motion made by Mr. Varney; seconded by Mr. Flaherty. Voting as follows: Mr. Varney – yes; Mrs. Wiley – yes; Mr. Flaherty – yes; Mr. Kramer – yes; Mr. Richardson – yes; Mr. Kimbler – yes. Mayor Kirk called for a motion to approve Ordinance 60 – 20. Motion made by Mr. Flaherty; seconded by Mr. Richardson. Voting as follows: Mr. Varney – yes; Mrs. Wiley – yes; Mr. Flaherty – yes; Mr. Kramer – yes; Mr. Richardson – yes; Mr. Kimbler – yes.

Ms. Boumis read Ordinance 61 – 20: An Ordinance Authorizing The Director Of Finance To Make Payment On A Contract With Franklin Equipment And Declaring An Emergency. Mr. Davisson discussed the Ordinance. The charge was for the lift used to install the Christmas lights on the church. Mayor Kirk called for a motion to suspend the rules regarding the adoption of Ordinance 61 – 20. Motion made by Mr. Richardson; seconded by Mr. Flaherty. Voting as follows: Mr. Varney – yes; Mrs. Wiley – yes; Mr. Flaherty – yes; Mr. Kramer – yes; Mr. Richardson – yes; Mr. Kimbler – yes. Mayor Kirk called for a motion to approve Ordinance 61 – 20. Motion made by Mr. Richardson; seconded by Mr. Kramer. Voting as follows: Mr. Varney – yes; Mrs. Wiley – yes; Mr. Flaherty – yes; Mr. Kramer – yes; Mr. Richardson – yes; Mr. Kimbler – yes.

Ms. Boumis read Ordinance 62 – 20: An Ordinance To Approve Changes To The 2020 Appropriations For The Current Expenses And Other Expenditures Of The Village Of Obetz. Mr. Davisson discussed the Ordinance. He stated that additional CARES Act funds were received by the Village. There are also increases to debt service and litigation payments. Mayor Kirk called for a motion to suspend the rules regarding the adoption of Ordinance 62 – 20. Motion made by Mr. Richardson; seconded by Mr. Kramer. Voting as follows: Mr. Varney – yes; Mrs. Wiley – yes; Mr. Flaherty – yes; Mr. Kramer – yes; Mr. Richardson – yes; Mr. Kimbler – yes. Mayor Kirk called for a motion to approve Ordinance 62 – 20. Motion made by Mr. Richardson; seconded by Mr. Flaherty. Voting as follows: Mr. Varney – yes; Mrs. Wiley – yes; Mr. Flaherty – yes; Mr. Kramer – yes; Mr. Richardson – yes; Mr. Kimbler – yes.

Ms. Boumis read Ordinance 63 – 20: An Ordinance To Approve And Authorize The Village Administrator To Purchase Real Property From Yuvonda C. Inland And Declaring An Emergency. Mayor Kirk stated that these are two parcels along Alum Creek Drive and Maureen Boulevard. Mayor Kirk called for a motion to suspend the rules regarding the adoption of Ordinance 63 – 20. Motion made by Mr. Richardson; seconded by Mr. Varney. Voting as follows: Mr. Varney – yes; Mrs. Wiley – yes; Mr. Flaherty – yes; Mr. Kramer – yes; Mr. Richardson – yes; Mr. Kimbler – yes. Mayor Kirk called for a motion to approve Ordinance 63 – 20. Motion made by Mrs. Wiley; seconded by Mr. Flaherty. Voting as follows: Mr. Varney – yes; Mrs. Wiley – yes; Mr. Flaherty – yes; Mr. Kramer – yes; Mr. Richardson – yes; Mr. Kimbler – yes.

#### **COUNCIL APPEAL FROM A DECISION OF THE PLANNING AND ZONING COMMISSION**

Mayor Kirk opened the public hearing on 4250 Charlotte Road at 6:17 PM. Ms. Boumis and Mr. Hollins presented the case to Council. Ms. Boumis stated that the property owner has a corner lot and wants to install a fence closer to the property line than is normally permitted. The property owner requested a Variance to Section 1173.03(b)(1)(A) of the Codified Ordinances and it was denied. Mr. Hollins discussed the rationale for fencing setbacks and stated that there is a 25 foot front yard setback in the neighborhood. The property owner, Michael Burger, was present and addressed Council. He stated that he cannot install the fence where the Planning Commission wants due to roots in the ground. Council and Mr. Burger discussed issues related to the fence including the type of fence; possible locations; visibility concerns; old fencing on the property; and concerns from the neighbors. No neighbors have objected to the installation of the new fence in the requested location. Mr. Davisson stated the property owner has been improving the property. Mayor Kirk called for a motion to affirm the decision of the Planning and Zoning Commission while allowing Mr. Burger to install the fence anywhere from 2' to 12' from the property line in order to avoid the tree roots. Motion made by Mr. Flaherty; seconded by Mr. Kimbler. All ayes. The public hearing was closed at 6:40 PM.

#### **MAYOR'S REPORT**

Mayor Kirk stated that Christmas Kick-Off was a great event and well received. Santa's sleigh ride through the Village was also a big success. Mayor Kirk stated that due to the success of the Village this year and the hardships that befell many residents, she wanted to give residents a water holiday. Residents would not pay their December utility bill. All charges – water, sewer, and trash – would be waived. If residents have already paid their December bill, they will be given a credit on next month's bill. The cost to the Village is approximately \$150,000. Mayor Kirk motioned to approve a utility holiday for residential customers. Motion made by Mr. Varney; seconded by Mr. Kimbler. All ayes. Motion carried.

Mayor Kirk stated that staff has been working extremely hard to get everything ready for the Trail of Lights and Christmas Kick-Off. She further stated that due to rising COVID cases in the County, she was closing operations starting December 21<sup>st</sup> until January 6<sup>th</sup>. Staff will be working from home and coming to the buildings on an as-needed basis. No buildings will be open to the public.

### **COMMITTEE REPORTS**

*Parks and Programming – Mike Kimbler, Chair*

No report.

*Fortress Obetz, Regional Recreation and Events – Derek Varney, Chair*

Mr. Varney stated a lot is in the works and dates are filling up quickly at the Fortress.

*Public Works and Safety – Guiles Richardson, Chair*

No report.

*Development – Mike Flaherty, Chair*

No report.

*Intergovernmental Outreach – Robert Kramer, Chair*

Mr. Kramer stated that he attended a Groveport Council Meeting in November. Groveport Madison Schools are virtual through the New Year. He then discussed the proposed development of the Hartman Farm. A data center is proposed, and the surrounding neighborhood has organized in opposition. Hamilton Township is constructing a semi-truck turn around at Rusty's.

*Neighborhood Preservation and Beautification – Bonnie Wiley, Chair*

No report.

### **ADMINISTRATION'S REPORT**

*Mike Confer, Police Chief* — Chief Confer stated calls for service are up 41%. Domestic violence is on the rise. He further stated that he continues to work with the State of Ohio on certifications and thanked Council for the Christmas bonus.

*Hamilton Township Fire Department* – Did not attend meeting.

*Gene Hollins, Esq., Law Director* – Mr. Hollins stated he recently gave an Ohio Municipal League speech on economic development.

*Stacey Boumis, Community Services Director* – Ms. Boumis gave a code enforcement update. She stated several properties with multiple violations are in court and the vacant house at the end of Chillicothe Street has been condemned.

*Rod Davisson, Esq., Administrator* – Mr. Davisson thanked staff for their hard work getting the Trail of Lights and Christmas Kick-Off ready. He further thanked Tennyson and Maria Varney for their assistance. The Christmas Lights judging was discussed. Awards should be presented next Monday.

### **OLD BUSINESS**

No old business.



### **NEW BUSINESS**

Mrs. Wiley distributed copies of the Charter Review Commission's recommendations. She stated that accountability was a big issue. Mr. Davisson stated that another review should be performed in 2021 once the Village officially becomes a city. Council should review the recommendations and be prepared to discuss them in January. Council must determine what recommendations, if any, get put on the ballot.

Mayor Kirk announced a special Council meeting December 28<sup>th</sup> at 5:00 PM to adopt the 2021 budget. She further stated that Obetz is loaning Hamilton Township our Christmas float.

### **EXECUTIVE SESSION**

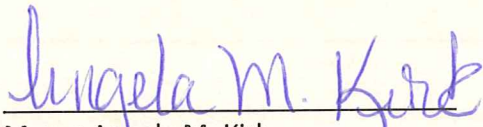
Mayor Kirk called for a motion to go into Executive Session under ORC 121.22(g)(3) and (8) to discuss eminent litigation and economic development negotiations. Motion made by Mrs. Wiley; seconded by Mr. Kramer. Voting as follows: Mr. Varney – yes; Mrs. Wiley – yes; Mr. Flaherty – yes; Mr. Kramer – yes; Mr. Richardson – yes; Mr. Kimbler – yes. Council went into Executive Session at 7:18 PM. Council adjourned from executive session at 8:05 PM with all six members present.

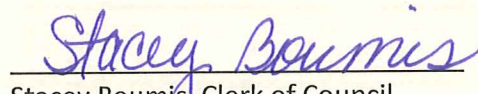
### **REMARKS FROM THE AUDIENCE**

No remarks.

### **ADJOURNMENT**

Mayor Kirk called for a motion to adjourn. Motion made by Mr. Flaherty; seconded by Mr. Richardson. All ayes. Council adjourned at 8:06 PM.

  
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Mayor Angela M. Kirk

  
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Stacey Boumis, Clerk of Council