

RECORD OF PROCEEDINGS; MINUTES OF THE VILLAGE OF LEWISBURG, OHIO REGULAR COUNCIL MEETING AT 7:30 P.M., APRIL 6, 2017 AT THE FIREHOUSE.

The regular meeting of the Village of Lewisburg, Ohio Council was called to order at 7:38 p.m. by Mayor Pat Putnam.

ROLL CALL: Kim Cahill, Clerk of Council.

PRESENT: Council Members Dennis Roberts, Belinda Harry, Mark Madigan, Jackie Sewert, Marsha Jones, and Chad Woodworth. Also present were Municipal Manager Jeff Sewert, Law Director Rick Faber, Fire Chief Bob Sewert, and Police Chief Rick McGee.

Motion to approve the minutes of the April 6, 2017 regular Village Council Meeting. First by Mark Madigan. Second by Dennis Roberts. Roll Call vote: 7 Yes 0 No. Motion approved.

CITIZENS: Jill Cutter from Spikes K-9 was introduced by Chief McGee. Spikes K9 is a non-profit organization that helps police K9's get body armor, and, through funding by a private donor, has provided Officer Apollo with his body armor. Cpl. Johnson and Apollo were in attendance to show everyone the vest. She said that the vest weighs between 3 ½ and 4 pounds and costs \$2,500. Ms. Cutter gave background information on Spikes K9 and founder, Jimmy Hatch. Spikes K9 also provides funds for medical care of the police K9's. She then presented Apollo with a patch and a personalized dog bowl. Mrs. Johnson, Cpl. Johnson's mother, then introduced herself, saying she was a member of the Delta Theta Tau sorority, New Lebanon chapter. She stated that she was very proud of her son and, on behalf of her sorority, presented Ms. Cutter with a check in the amount of \$500 for Spikes K9 to help another police K9 get a vest. Ms. Cutter thanked Mrs. Johnson and went on to tell about the obstacle course that Spikes K9 is building for training. Ms. Cutter also reported that she has helped 65 dogs get vests in Ohio by herself.

Barb Felton was in attendance to talk about the ordinance passed at the last council meeting, in which the zoning ordinance was amended to make car washes a permitted use instead of a conditionally-permitted use. She asked for a reading from the April 6, 2017 council minutes, which were just approved. Mr. Faber read the applicable section of the minutes wherein the ordinance was passed. Ms. Felton thanked council for the opportunity to address them. She read the minutes from the June 20, 2016 Lewisburg Board of Zoning Appeals meeting. She stated she received notice of public hearing in March 2017 on the proposed change in the Zoning laws to make car washes a permitted use. She and two others were at the March 16, 2017 public hearing expressing their concerns. Council did not vote on the matter that night, but decided to address it at the next meeting. Her understanding was that, at the April 6, 2017 Council meeting, Council member Belinda Harry made a motion to waive the third reading and proceed with the vote on the proposed change. She was not aware that council met twice a month and wanted council to be aware that the citizens present at the meeting tonight are very concerned about allowing the car wash to be built at the location under consideration.

She asked how this issue came up to council for vote and how the issue went from the Zoning Board to the council to approve the change. She said she called the EPA with questions and was told that this was still in the discussion stages. She asked what happens now and what would need to happen to prevent a car wash from going into this location.

She stated that specific concerns with the car wash are: safety & traffic; noise by the dryers; wastewater – specifically, hydrofluoric acid (HF), a caustic and toxic substance that is in car wash solutions – and other chemicals and oils; trash overflow if the trash barrels are not emptied routinely; lighting issues; and property values, which are affected by noise, safety, location and amenities.

She asked why the car wash was such a big deal in this location. She further stated that the citizens strongly disagree that the location on South Commerce Street is a good location for this type of business, and feel the lives of the neighbors would feel the impact of this business. They hope that council will feel there should be a higher priority given to the impact of this business in this location than there is given to simply adding a business that would be nice to have in town, and there must be a location in town that is safer and in an area that is zoned more appropriately.

Steve Shiverdecker then addressed council regarding this same issue. He had a problem with how the voting on this matter was handled and felt it was done in a cowardly manner.

MAYOR: None.

LEGAL: FIRST READING: RESOLUTION ADOPTED PURSUANT TO OHIO REVISED CODE SECTION 5705.03 IN PREPARATION TO PLACING A TAX LEVY ON THE BALLOT AT THE NOVEMBER, 2017, GENERAL ELECTION. Belinda Harry read the first reading by title only. Mr. Faber explained that this was for a 2.25 mil renewal of the Fire and EMS levy.

Motion to waive the three reading rule. First by Marsha Jones. Second by Chad Woodworth. Roll Call vote: 7 Yes 0 No. Motion approved.

Motion to adopt **Resolution 2017-03** RESOLUTION ADOPTED PURSUANT TO OHIO REVISED CODE SECTION 5705.03 IN PREPARATION TO PLACING A TAX LEVY ON THE BALLOT AT THE NOVEMBER, 2017, GENERAL ELECTION. First by Marsha Jones. Second by Chad Woodworth. Roll Call vote: 7 Yes 0 No. Motion approved.

FIRST READING: A LEWISBURG, OHIO, ORDINANCE AMENDING VARIOUS REVENUES AND/OR APPROPRIATIONS FOR CALENDAR YEAR 2017. Belinda Harry read the first reading by title only. Chief Sewert explained that the Fire department received a grant from the State of Ohio in the amount of \$34,354.35; thus, the need to amend the budget.

Motion to waive the three reading rule. First by Pat Putnam. Second by Dennis Roberts. Roll Call vote: 7 Yes 0 No. Motion approved.

Motion to adopt **Ordinance 2017-07** A LEWISBURG, OHIO, ORDINANCE AMENDING VARIOUS REVENUES AND/OR APPROPRIATIONS FOR CALENDAR YEAR 2017. First by Pat Putnam. Second by Dennis Roberts. Roll Call vote: 7 Yes 0 No. Motion approved.

FIRST READING: FINAL RESOLUTION. Mr. Faber read the first reading by title only. Mr. Sewert explained that this resolution was for the ODOT project on Clay Street, and that it would be going out for bid in mid-May.

Motion to waive the three reading rule. First by Dennis Roberts. Second by Marsha Jones. Roll Call vote: 7 Yes 0 No. Motion approved.

Motion to adopt **Resolution 2017-04** Final Resolution. First by Dennis Roberts. Second by Marsha Jones. Roll Call vote: 7 Yes 0 No. Motion approved.

MUNICIPAL MANAGER: Read a thank you note from the Preble County Development Partnership.

SAFETY: The Police and Fire departments will be participating in a mock crash at the high school tomorrow at 8:25 a.m.

Tornado sirens were tested and all four worked. Future testing will be on the first Wednesday of every month except in inclement weather.

We are still waiting on word on our FEMA grant application, which would be for \$80,000-90,000.

FYI – three of our personnel were involved in an incident over the weekend, and our thoughts are with them.

POLICE: The Royal Canin 5K run went off great. We recently toured their facility and they will allow Apollo to train there. Mrs. Harry stated that we are fortunate to have Apollo. He has helped in several cases. Chief McGee said

that Apollo has assisted the Highway Patrol and the County, and that he was the highlight of the Business Expo. Mrs. Sewert said that Apollo's appearance at Bingo was great.

LIBRARY: None.

PARK: There was no meeting this month due to lack of a quorum. The May meeting will be held at the shelter. Phase 1 of the tree planting is done. The walking path will be resealed in May. It will be black instead of red. Most of the Knapke Lane fence is done. Opening day is Saturday.

OLD BUSINESS: None.

NEW BUSINESS: None.

MISC. BUSINESS: Mrs. Jones said the Bicentennial Committee is asking for recipes for the Bicentennial cookbook.

Mr. Madigan said the next Bicentennial meeting on May 15 at 6:30 p.m. They will be holding a ribbon cutting for the new storefront. You can call Pam Baker to order items that will be for sale in the storefront.

Mayor Putnam said that he will not be at the May 4 meeting.

Mrs. Harry thanked the Fire department for a successful Easter egg hunt.

Mrs. Jones thanked the Police department for their help with the Royal Canin 5K run.

Motion to adjourn. First by Belinda Harry. Second by Mark Madigan. Roll Call Vote: 7 Yes 0 No. Motion approved.

TIME 8:34 p.m. MAYOR _____

DATE _____ CLERK OF COUNCIL _____