

# COUNCIL MEETING

## VILLAGE OF JACKSON CENTER

### REGULAR SESSION

Held: August 20, 2018

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#### INVOCATION / PLEDGE OF ALLEGIANCE:

**Called To Order By:**  
Scott Klopfenstein

**Session Begin:**  
6:30 p.m.

**Session End:**  
7:57 p.m.

**Session Location:**  
Council Chambers

#### PRE-SCHEDULED:

- a. **PUBLIC HEARING** – Changing The Zoning Of 2.95 Acres Located In The 600 Block Of College And Pike Streets

Mayor Klopfenstein began the Public Hearing by reading a summary composed by the Zoning Enforcement Officer, Ed Maxwell that describes the purpose of the request for rezoning. The Village of Jackson Center Planning Commission met on July 23, 2018, to consider the requests from Todd C. Ratermann, Scherer Post #493 American Legion, and Kevin and Jill Bergman to rezone their properties located at 619 East College Street, 627 East College Street and 624 East Pike Street respectively from R-1, Single Family Residential District to R-3 Multi-Family Residential District.

The rationale for the change is as follows: 1) The Ratermann property is being purchased for the construction of a multi-family apartments on existing employ lots. The plans include off-street parking and single floor, 2 and 3 bedroom units. 2) The American Legion property pre-exists as a non-conforming "Conditional Use" in a R-1 District. It would be a "Permitted Use" in an R-3 District. 3) The Bergman property is a non-conforming, pre-existing multi-family apartment complex in a R-1 Single Family District. Rezoning would bring the property into compliance.

Upon review, all three requests are reasonable requests that bring the properties into compliance with the Zoning Code of the Village of Jackson Center. The total acreage of the properties, not including the affected street areas, is 2.95 acres well above the required 2.0 acres needed to rezone to R-3. The area is contained by all properties adjoining and should not be affected by any future plans by any of the property owners. The most recent Housing Survey updated in 2018 shows a need for quality rental units within the Village.

Upon consideration of all of the above, the Planning Commission of the Village of Jackson Center unanimously recommends that a public hearing be held and that the Village Council approve the rezoning from R-1 to R-3 should there not be any discovered issues.

Zoning Enforcement Officer, Ed Maxwell explained the re-zoning a little more indepth and then turned the floor over to Todd Ratermann so that he could show those that are in attendance his plans for the property. Ratermann explained that he would be keeping these units and not selling them to someone else to manage. Mr. Gerald Miller asked Mr. Ratermann how he come to pick this property instead of other available real estate in the Village. Maxwell then addressed those present and explained the Village zoning map and what is allowed to build in the different zoning districts. Mayor Klopfenstein declared the Public Meeting closed at 7:09 p.m.

#### MEMBERS AND VISITORS IN ATTENDANCE:

Dr. Ken Gloyeske	Present	Mr. Larry Wahrer	Present
Mrs. Karen Woodruff	Present	Mrs. Leisha Elchert	Present
Mr. Jesse Fark	Present	Mr. James DeVine	Present

**Employees Present:**

Bruce Metz	Village Administrator
Bev Wren	Fiscal Officer
Ed Maxwell	ZOE/EDD
Chuck Wirick	Police Chief
Drew Sosby	Water/Wastewater Operator
Braden Lotz	Water/Wastewater Superintendent

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**Visitors Present:** Matt Clayton                      Sidney Daily News  
Gerald Miller  
Shirley Miller  
Todd Ratermann  
Amber Regula  
Chris Regula  
Norma Jones  
Nancy Lindsey

#### APPROVAL OF MINUTES:

*Draft Minutes As Pre-Read From The August 13, 2018 Regular Council Meeting:*  
*Motion To Accept The Minutes As Pre-Read*

<i>Seconded By:</i>				DeVine
<i>Aye:</i>	6	<i>Nay:</i>	0	Woodruff
				<i>Motion Carried</i>

#### OLD BUSINESS:

- a. **RESOLUTION 2018-017** – A Resolution Accepting The Amounts And Rates As Determined By The Budget Commission And Authorizing The Necessary Tax Levies And Certifying Them To The County Auditor. *Second Reading*

This resolution is the annual legislation that must be certified to the County Auditor before the first day of October each year. The Shelby County Auditor has provided an estimate for the amount approved by the Budget Commission Inside the 10 Mill Limitation of \$50,219 and has estimated that the amount to be derived from the levy outside the 10 Mill Limitation of \$46,425 for a total estimate of \$96,644. This will be the first of three readings of this resolution. There are not any changes to this resolution since the last meeting held on August 13<sup>th</sup>. It is recommended that this resolution stand as a second reading.

***This Resolution Will Stand As A Second Reading.***

#### NEW BUSINESS:

- a. **ORDINANCE 2018-031** – An Ordinance Changing The Zoning Of 2.95 Acres Located In The 600 Block Of College And Pike Streets From R-1 Single-Family Residential District To R-3 Multi-Family Residential District And Declaring An Emergency. *First Reading*

This ordinance is being presented as a first reading. The Village of Jackson Center Planning Commission met on July 23, 2018, to consider the requests from Todd C. Ratermann, Scherer Post #493 American Legion, and Kevin and Jill Bergman to rezone their properties located at 619 East College Street, 627 East College Street and 624 East Pike Street respectively from R-1, Single Family Residential District to R-3 Multi-Family Residential District. 1) The Ratermann property is being purchased for the construction of a multi-family apartments on existing employ lots. The plans include off-street parking and single floor, 2 and 3 bedroom units. 2) The American Legion property pre-exists as a non-conforming "Conditional Use" in a R-1 District. It would be a "Permitted Use" in an R-3 District. 3) The Bergman property is a non-conforming, pre-existing multi-family apartment complex in a R-1 Single Family District. Rezoning would bring the properties into compliance. Upon consideration of all of the above, the Planning Commission of the Village of Jackson Center unanimously recommends that the Village Council approve the rezoning from R-1 to R-3.

***This Resolution Will Stand As A First Reading.***

- a. **ORDINANCE 2018-032** – An Ordinance Authorizing Certain Adjustments In The 2018 Annual Appropriations Of Public Funds For The Village Of Jackson Center During The Fiscal Year Ending December 31, 2018 And Declaring An Emergency.

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This ordinance increases the total appropriations of all funds from \$10,280,103.01 to \$12,439,640.90. The increases are broke down as follows: 1) in the General Fund, appropriations need to be increased by \$6,500 in supplies and materials for the Police Department for repairs that need to be made to the police cruiser; 2) appropriations in the Note Retirement Fund need to be increased by \$25,813.62 to be able to pay debt service on the backup generator at the Water Treatment Plant; 3) in the Electric Fund appropriations will need to be increased by \$2,127,224.27 to provide appropriations for the construction of the new 69kV Substation on Jerry Drive.

<b><i>Motion To Suspend The Three Reading Rule:</i></b>				<b>Fark</b>
<b><i>Second By:</i></b>				<b>Elchert</b>
<b><i>Votes were:</i></b>	<b>Wahrer</b>	<b>Aye</b>	<b>Woodruff</b>	<b>Aye</b>
	<b>Elchert</b>	<b>Aye</b>	<b>Fark</b>	<b>Aye</b>
	<b>DeVine</b>	<b>Aye</b>	<b>Gloyeske</b>	<b>Aye</b>

<b><i>Motion To Adopt Ordinance 2018-032:</i></b>				<b>Gloyeske</b>
<b><i>Second By:</i></b>				<b>Wahrer</b>
<b><i>Votes were:</i></b>	<b>Woodruff</b>	<b>Aye</b>	<b>Elchert</b>	<b>Aye</b>
	<b>Fark</b>	<b>Aye</b>	<b>DeVine</b>	<b>Aye</b>
	<b>Gloyeske</b>	<b>Aye</b>	<b>Wahrer</b>	<b>Aye</b>

- a. **RESOLUTION 2018-018** – A Resolution Creating An Enterprise Improvement Fund And Declaring An Emergency.

In order to account for the loan proceeds and expenditures in the amount of \$2,800,000 for the construction of the new 69kV Substation, we need to create an enterprise improvement fund that we will receive the loan proceeds into so that we can pay the expenditures to the contractors as the invoices come in. This 69kV Electric Substation Construction Fund will be active until the completion of the project.

<b><i>Motion To Suspend The Three Reading Rule:</i></b>				<b>Gloyeske</b>
<b><i>Second By:</i></b>				<b>Fark</b>
<b><i>Votes were:</i></b>	<b>Elchert</b>	<b>Aye</b>	<b>Fark</b>	<b>Aye</b>
	<b>DeVine</b>	<b>Aye</b>	<b>Gloyeske</b>	<b>Aye</b>
	<b>Wahrer</b>	<b>Aye</b>	<b>Woodruff</b>	<b>Aye</b>

<b><i>Motion To Adopt Resolution 2018-018:</i></b>				<b>DeVine</b>
<b><i>Second By:</i></b>				<b>Elchert</b>
<b><i>Votes were:</i></b>	<b>Fark</b>	<b>Aye</b>	<b>DeVine</b>	<b>Aye</b>
	<b>Gloyeske</b>	<b>Aye</b>	<b>Wahrer</b>	<b>Aye</b>
	<b>Woodruff</b>	<b>Aye</b>	<b>Elchert</b>	<b>Aye</b>

#### COMMITTEE REPORTS:

- Finance Committee:* No Report
- Utility Committee:* No Report
- Wage & Benefits Committee:* No Report
- Safety Committee:* No Report
- Public Property Committee:* No Report

#### ADMINISTRATOR'S REPORT:

- ☺ Concrete has been started on Hamer Street today.
- ☺ Freisthler will be coming in to start the street

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- ☺ The barn has been taken down on the Jerry Drive property to make room for the substation.
- ☺ Jim Knief repaired some low spots in Tiger Trail Park
- ☺ Met with Choice One for work on the pool. We will be going after some grant money to make the needed upgrades.
- ☺ Ed, David and Bruce met with Rising Sun regarding their utilities and the meeting went well.
- ☺ Ed and Bruce have been working on an easement out near Airstream.

#### DEPARTMENTAL REPORTS:

*Police Chief:* No Report

*Fire Chief:* No Report

*ZEO/EDD:* No Report

#### CITIZEN COMMENT:

Mrs. Miller stated that you can drive around Jackson Center and find a bunch of cars sitting up near a house on South Main Street. We are currently working on six open cases and will be following up with them later this week. Fifteen others have become compliant.

Mr. Miller asked how much electric we are getting out of the solar field. Currently, we are getting about 25% of the generation from the solar field.

#### OTHER BUSINESS:

Fiscal Officer Wren informed the Mayor and Council that the Regional Income Tax Agency has mailed approximately 327 non-filer letters to taxpayers that have neglected to file a municipal income tax return for our Village. Taxpayers that have received this letter can e-file returns at [www.ritaohio.com](http://www.ritaohio.com), or they can mail or fax their returns/documents to the Regional Income Tax Agency at the address or fax number listed on the non-filing letter. The Village of Jackson Center is a mandatory filing community. Therefore, even if you did not receive income or receive retirement income only, you still need to file a return each tax year. Wren stated that many times, taxpayers assume that their tax preparer filed their returns for them. In many cases, the tax preparers leave it up to the tax filer to file their own local tax returns and only file the federal and state tax returns for their customers. Taxpayers should always ask their tax preparer if they have filed their local returns as well.

Mayor Klopfenstein then presented a Certificate of Recognition award to the Village of Jackson Center for the efforts taken to protect the village's source of drinking water through completion of a Drinking Water Source Protection Plan. Drew Sosby, our operator and Braden Lotz our Superintendent put a lot of work in on this to obtain this plan. Mayor Klopfenstein thanked both Drew and Braden for their efforts in getting this completed.

#### EXECUTIVE SESSION:

***Motion To Enter Into Executive Session For The Purpose Of  
Discussing The Purchase Or Sale Of Real Estate:***

**Gloyeske**

***Second By:***

**Woodruff**

***Votes were:***

**DeVine**

**Aye**

**Gloyeske**

**Aye**

**Wahrer**

**Aye**

**Woodruff**

**Aye**

**Elchert**

**Aye**

**Fark**

**Aye**

***Time Executive Session Entered:***

**7:33 p.m.**

***Mayor Klopfenstein Declared Executive Session Concluded At:***

**7:56 p.m.**

#### UNSCHEDULED BUSINESS:



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None

**ADJOURNMENT:**

*There being no other business to come before Council.*

<i>Motion To Adjourn:</i>				Gloyeske
<i>Seconded By:</i>				Elchert
<i>Aye:</i>	6	<i>Nay:</i>	0	<i>Motion Carried</i>

The meeting adjourned until September 10, 2018 at 7:00 p.m. at the Council Chambers.

  
Beverly A. Wren, Fiscal Officer

  
Scott Klopfenstein, Mayor

*All formal actions of the Council of Village of Jackson Center concerning and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.*