

# *Record of Proceedings*

## Minutes of West Lafayette Village Council Regular Meeting

West Lafayette Village Council met in regular session on February 12, 2024 at 7:00 p.m. in the municipal building with Mayor Jessica Tubbs presiding.

### **Pledge of Allegiance**

### **Prayer**

**Roll Call:** Rich Wheeler, Brittany Howell, Christie Maurer, Tim Cheney, and Jason Hursey were present. Adam Fisher was absent. Police Chief Walters, Fire Chief Gould and Tyler Maple were also in attendance.

A motion was made by Jason Hursey and seconded by Tim Cheney to excuse Councilman Adam Fisher. Roll call 5 yes.

A motion was made by Jason Hursey and seconded by Brittany Howell to approve the minutes from the regular council meeting held on January 22, 2024. Roll call 5 yes.

**Mayor's Correspondence:** Mayor Tubbs reported receiving a phone call from Steve Miller regarding stop signs behind Circle K stating that the alley ways are narrow and difficult to see. Mayor Tubbs also reported having the opportunity to read to the Pre-K class.

**Citizens' comments:** None

### **Zoom Log-in**

<https://zoom.us/j/96595775556?pwd=eVJIY04yaFFmbU9GSEISRu9kNnRjQT09>

**Or Dial: 1-301-715-8592**

**Meeting ID: 965 9577 5556**

**Passcode: 571265**

### **Department Reports:**

**Fire:** See attached. Chief Gould reported that 3 of the 6 calls in Linton Township were related to a property located on Township Road 118 built on reclaimed land that has CO2 gas migrating into the home, which forces all of the oxygen out of the house. A similar incident happened 10-12 years prior to the same residence. Chief is working with the EMA to possibly get some public notices out to advise residents that if they live on or near reclaimed land, they have the potential to have the same issue with the CO2 gas. There have been several deaths related to a similar incident in Pennsylvania. The Health Department is going to try and flag it somehow so that when property owners of reclaimed land go to put in a septic or well, that they are alerted before they build on the property.

**Fiscal Officer:** Fiscal Officer, Amy Bourne, reported that Resolution 2024-01 will receive its third and final reading to update the Credit Card Policy by adding and removing names permitted to use the cards. Resolution 2024-02 will receive its first reading to request certification of millage from the county auditor in order to renew the Village Current Expense levy that is a 5-



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year levy for 3 mills, which brings in roughly \$68,000 to the General Fund. Once the certification is received, another resolution will be presented to declare it a necessity to place the renewal levy on the ballot this fall. Resolution 2024-03 will receive its first reading to add funds. In the General fund, \$644.16 is needed to be appropriated for the Police Department community events from donations received as well as \$6,400 to cover the emergency replacement of the furnace in Council Chambers. To go along with the adding funds, Resolution 2024-04 will receive its first reading and is to approve a Then & Now purchase order to Best Heating & Cooling for the furnace replacement that was installed a couple of weeks ago. In the American Rescue Plan fund, the remaining \$3 needs to be appropriated in order to spend down money received by the December 31, 2024 deadline. In the 610 OWDA Sewer WWTP fund, \$10,000 is needed to cover the final design phase payment to the Thrasher Group for the Sewer outfall project once we receive the final disbursement from the OWDA loan. Ordinance 2024-06 will receive its first reading and is to adopt the 2024 version of the Ohio Basic Code. There were a few updates to the listing of additional ordinances to keep in force along with OBC. Resolution 2024-07 is for the annual authorization for the Village to sell obsolete municipally owned property by internet auction during calendar year 2024. The January end of month cash summary was presented to the Finance committee. Bills were passed around for approval.

**Police:** See attached.

**Solicitor:** Village Solicitor, Joel Blue, reported he has been working with the Village Administrator on a couple of complaints. Joel also reported receiving several correspondences from Todd Drown regarding a meeting that he had with the Mayor, Brittany Howell and possibly another council member to discuss starting a park district that would include the village and surrounding townships with the goal of putting a 1 mil levy on the ballot. After speaking with Attorney Ben Hall and Attorney Jim Skelton, Joel was advised that Linton, Oxford and Lafayette townships want to be part of the park district, which would leave the village as the only one as part of the district.

**Village Administrator:** Village Administrator Tammy Hicks reported ordinance 2024-09 will receive its first reading regarding the building and zoning codes to modify the wording to the maximum height of accessory structures in the Village in the R-1 district to 20'. It also changes the minimum floor of residences in the R-1 section to 600'. Ordinance 2024-05 will receive its first reading to regulate trees in the village. The listing of approved trees will be removed from the ordinance and a link will be provided on the website as it is an extensive list and does change. There is also wording added stating a Planting Permit will be required to plant trees in the curb strip. The permit will be at no cost, just informational to be sure the tree meets the guidelines established. Ordinance 2024-08 will receive its first reading that establishes the sewer rates and wording was removed that prohibited sewer taps within a manhole. Each sewer tap permit will be reviewed on a case-by-case basis to make the decision to allow the manhole tap if needed. Hicks reported receiving many questions about the Blue Line Solutions program for the traffic cameras that are to be installed, which has led her to review the contract with Blue Line. ODOT determined that the school zone could not be extended on Wall St. After review of the contract, Hicks feels that the whole program needs to be re-evaluated as there are a lot of unanswered questions and concerns. The safety of the children and community in the school zones is the most important thing, but Hicks was not involved in the initial discussions and feels



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the contract needs scrutinized more and is requesting a Public Safety committee meeting to discuss further. Councilman Jason Hursey commented that he had time to review the program and agrees that there are areas of concern that he feels leaves the village vulnerable and possibly on the hook for a lot of money if something goes wrong. More clarification is needed before moving forward. Hicks reported that the Wastewater department has been belt pressing to empty the 2 sludge basins and should be done tomorrow. They were also able to get the new blower installed at the other basin that had died last fall.

### **Committee Reports:**

**Building and Property:** No report.

**Community & Business Development:** No report.

**Community Relations:** Chairwoman Brittany Howell reported that the Chamber of Commerce will have their first meeting on February 27, 2024.

**Community Revitalization:** Chairwoman Brittany Howell reported meeting on January 24, 2024 at 6:00pm stating that the committee is a think tank for village ideas. Ideas discussed were raised trails at the wetlands, cleanup days in the spring/summer, a collaboration with Rotary to plant flowers on Main St., spruce up the signs and add lighting at Waterowrks park, Christmas lights, a live Christmas tree in the vacant lot on Main St. and high school senior banners on Main St. to be hung until its time to put up the Military Banners at the end of May. The Park District was also discussed stating that the We R WL group was initially asked to be a 501c3 and Mr. Drown suggested that it be turned into a park district as it would be bigger and bring in more money that would benefit more of the surrounding areas. However, as Joel Blue commented in his report, if the other townships do not want to be a part of the park district, then the group may go back to the idea of obtaining the 501c3. Brittany stated she would go back to Mr. Drown for guidance on how to move forward. Solicitor Joel Blue commented that someone else other than Brittany needs to speak with Mr. Drown regarding the Park District as she works for Mr. Drown and it presents a conflict of interest on anything she might report back to council. Joel stated that Brittany will have to step aside from those conversations. Mayor Tubbs commented that someone else from the Park Board could communicate with Mr. Drown if needed.

**Finance:** Councilwoman Brittany Howell reported meeting this evening and reviewed the January month end cash summary and were no issues. Legislation being presented tonight was also discussed. A motion was made by Christie Maurer and seconded by Tim Cheney to approve the January end of month cash summary. Roll call 5 yes.

**Fire Dependency Board:** No report.

**Ordinance:** Chairman Jason Hursey reported meeting twice, once on January 29, 2024 to discuss the ODNR approved list of trees and the addition of a required permit to plant a tree in the utility right of way, that is at no cost. The Building & Zoning ordinance was discussed regarding changing the height of accessory structures to 20' in R-1 as well as allowing that structure to have a 1-bedroom apartment as long as there is adequate parking available. There



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was also discussion about Air BNB's, tiny homes, and trailers, but will continue to discuss. Another meeting was held on February 5, 2024 and discussed the sewer taps into the manholes and in most cases that is not needed, but feel the one-offs should be addressed individually. Final discussions we had regarding small homes and the minimum square footage required. Further research is needed regarding mobile homes before allowing them back in the village.

**Park Board:** Chairwoman Christie Maurer reported meeting on January 29, 2024 and discussed many topics to include planting trees at Waterworks Park around the play area, a ribbon-cutting ceremony in the spring and possibly Ridgewood Rec to have a fundraiser event with it, a splash pad utilizing grants and donations to fund it, the fitness court has been put on hold due to the expense, the rotary shelter at Burt Park needs a new roof, and Burt Park trees are in need of mulch and maintenance. The Burt Park reservation system needs updated to include the form to register, a lock box for the bathroom keys, and a donation fee. The Waterworks Park signage is on order. Nicer trashcans, benches, shade and lighting is still needed.

**Planning Commission:** County Representative Rich Wheeler reported there was a meeting last month and he was unable to attend.

**Public Safety:** Chairman Jason Hursey reported on behalf of Councilman Adam Fisher for the meeting held on February 1, 2024. The EMS levy was discussed stating the necessity to maintain current staffing levels and avoid the closure of one of the county stations. The increase would be \$36 a year for the average household. Anyone with questions is encouraged to contact Todd at the EMS office. The Blue Line traffic cameras to be installed later this spring will only be installed in the school zone on Johnson St operating during school hours only. The WLPD will be responsible for approving the violations before citations are issued. The Fire department is looking to replace the 1985 Dash with a Wildland Urban Interface apparatus, with a 3-year lead time due to industry demand. A new fire station is becoming a priority as low door clearance is an issue when looking at new vehicles. The Police department is looking to add a new Durango cruiser to the fleet in the future. The pickup is still in great shape, but not the most fuel efficient for patrolling. More bicycles are needed for the youth bike club program this year.

**Public Works:** Chairman Rich Wheeler reported meeting twice, once on January 31, 2024 and again on February 5, 2024. There was discussion at both meetings regarding the forced main going out to Fresno and Pearl Valley and the maintenance issues. There is roughly 6,000 feet of line that is not able to be cleaned and is getting a lot of buildup in the lines. Cleanouts need to be installed but not sure where the money is going to come from. It appears that the changes made at the WWTP are working to save the village money on the electric bill. A new blower was installed, and the aeration basins were cleaned out with repairs made to the diffusers have made the system run more efficiently. The blowers are also set up to run on a schedule rather than 24/7. The ordinance establishing the commercial septic hauling rate was discussed to lower the rate back to what it was due to lack of business. Surrounding areas are charging less.

**Records Retention:** No report.

**Rules:** No report.



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## **Introduction to ordinances and resolutions:**

### **2024-01 A RESOLUTION REGARDING CREDIT CARD USE Third Reading/Emergency**

A motion was made by Christie Maurer and seconded by Rich Wheeler to adopt Resolution 2024-01. Roll call 5 yes.

### **2024-02 A RESOLUTION FOR CERTIFICATION OF MILLAGE FOR RENEWAL OF TAX LEVY FOR THE VILLAGE OF WEST LAFAYETTE, OHIO First Reading**

### **2024-03 A RESOLUTION TO AMEND THE 2024 PERMANENT APPROPRIATIONS ORDINANCE 2023-57, ADDING FUNDS First Reading/Emergency**

A motion was made by Christie3 Maurer and seconded by Jason Hursey to waive the three required readings for Resolution 2024-03. Roll call 5 yes.

A motion was made by Christie Maurer and seconded by Jason Hursey to adopt Resolution 2024-03. Roll call 5 yes.

### **2024-04 A RESOLUTION TO APPROVE PURCHASE ORDER 24141 TO BEST HEATING & COOLING, A "THEN & NOW" PURCHASE ORDER First Reading/Emergency**

A motion was made by Christie Maurer and seconded by Brittany Howell to waive the three required readings for Resolution 2024-04. Roll call 5 yes.

A motion was made by Christie Maurer and seconded by Tim Cheney to adopt Resolution 2024-04. Roll call 5 yes.

### **2024-05 AN ORDINANCE TO REGULATE TREES AND ESTABLISH OFFENSES RELATED TO TREES, REPEALING ORDINANCES IN CONFLICT THEREWITH First Reading**

### **2024-06 AN ORDINANCE APPROVING, ADOPTING AND ENACTING THE AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, BEGINNING IN 2024 AND AS AMENDED IN PERPETUITY, AS THE CODE OF ORDINANCES FOR THE VILLAGE OF WEST LAFAYETTE, OHIO; REPEALING ORDINANCES IN CONFLICT THEREWITH, AND DECLARING AN EMERGENCY First Reading/Emergency**

### **2024-07 A RESOLUTION AUTHORIZING THE SALE BY INTERNET AUCTION DURING CALENDAR YEAR 2024 OF MUNICIPALLY OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR WHICH IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, PURSUANT TO OHIO REVISED CODE SECTION 721.15(D) First Reading**

### **2024-08 AN ORDINANCE ESTABLISHING SEWER RATES, AND SEWER REGULATIONS FOR THE VILLAGE OF WEST LAFAYETTE, OHIO, AMENDING ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH First Reading**



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**2024-09 AN ORDINANCE AMENDING ORDINANCE 2023-23, THE VILLAGE OF WEST LAFAYETTE BUILDING AND ZONING CODES** First Reading

**Committee Meetings:**

**Building & Property-**

**Community & Business-**

**Community Relations –**

**Fire Dependency Board-**

**Finance-**

**Ordinance-** February 19, 2024 at 6:30pm

**Park Board-**

**Planning Commission –**

**Public Safety –** February 15, 2024 at 6:00pm

**Public Works-**

**Records Retention –**

**Revitalization –**

**Rules –**

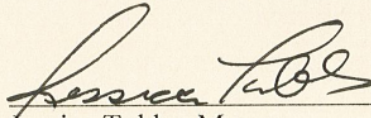
**Tax Review Board –**

**Other Business:** Mayor Tubbs had no other business to discuss.

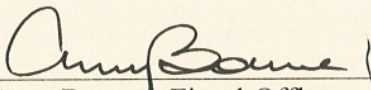
A motion was made by Jason Hursey and seconded by Christie Maurer to pay the bills. Roll call 5 yes.

A motion was made by Tim Cheney and seconded by Jason Hursey to adjourn until the next meeting on Monday, February 26, 2024, at 7:00 p.m. Roll Call 5 yes.

A full recording of this evening's minutes can be heard by visiting [www.westlafayettevillage.com](http://www.westlafayettevillage.com) and clicking on the recorded minutes tab.

  
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Jessica Tubbs, Mayor

Attest:

  
\_\_\_\_\_  
Amy Bourne, Fiscal Officer



111	1/20/2024	Building fire	240120-010905-WLVFD600	Out Of District	2	0000012	\$0.00
112	1/22/2024	Fires in structure other than in a building	240124-112657-WLVFD600	659, Village of West Lafayette	3	0000018	\$500.00
311	1/4/2024	Medical assist, assist EMS crew	240104-065116-WLVFD600	659, Village of West Lafayette	5	0000001	\$0.00
322	1/6/2024	Motor vehicle accident with injuries	240107-054443-WLVFD600	Out Of District	3	0000004	\$0.00
	1/24/2024	Motor vehicle accident with injuries	240124-013307-WLVFD600	653, Lafayette Twp	2	0000016	\$0.00
324	1/26/2024	Motor vehicle accident with no injuries.	240126-153037-WLVFD600	662, Oxford Twp	4	0000019	\$0.00
	1/28/2024	Motor vehicle accident with no injuries.	240128-065333-WLVFD600	660, Oxford Twp	4	0000020	\$0.00
	1/30/2024	Motor vehicle accident with no injuries.	240131-050145-WLVFD600	683, White Eyes Twp	3	0000024	\$0.00
421	1/9/2024	Chemical hazard (no spill or leak)	240109-081240-WLVFD600	671, Linton Twp	4	0000005	\$0.00
424	1/24/2024	Carbon monoxide incident	240124-102814-WLVFD600	659, Village of West Lafayette	1	0000017	\$0.00
440	1/16/2024	Electrical wiring/equipment problem, other	240117-105732-WLVFD600	659, Village of West Lafayette	3	0000009	\$0.00
444	1/9/2024	Power line down	240110-011520-WLVFD600	673, Linton Twp	2	0000006	\$0.00
445	1/22/2024	Arcing, shorted electrical equipment	240122-123228-WLVFD600	652, Lafayette Twp	5	0000014	\$0.00
521	1/28/2024	Water evacuation	240129-013938-WLVFD600	670, Linton Twp	3	0000022	\$0.00
531	1/17/2024	Smoke or odor removal	240117-112909-WLVFD600	681, White Eyes Twp	3	0000011	\$0.00
551	1/12/2024	Assist police or other governmental agency	240115-103730-WLVFD600	671, Linton Twp	3	0000008	\$0.00
	1/17/2024	Assist police or other governmental agency	240121-060720-WLVFD600	671, Linton Twp	2	0000013	\$0.00
622	1/17/2024	No incident found on arrival at dispatch address	240117-111730-WLVFD600	663, Oxford Twp	3	0000010	\$0.00
	1/22/2024	No incident found on arrival at dispatch address	240122-124755-WLVFD600	Mutual Aid Newcomerstown	2	0000015	\$0.00
	1/29/2024	No incident found on arrival at dispatch address	240129-043825-WLVFD600	659, Village of West Lafayette	1	0000023	\$0.00
631	1/5/2024	Authorized controlled burning	240107-052943-WLVFD600	Mutual Aid to Company 1	3	0000003	\$0.00
	1/25/2024	Authorized controlled burning	240128-070503-WLVFD600	671, Linton Twp	2	0000021	\$0.00
733	1/10/2024	Smoke detector activation due to malfunction	240110-075235-WLVFD600	651, Lafayette Twp	2	0000007	\$0.00

**January 2024: 23**      **Year-To-Date: 23**      **January 2024 Loss: \$500.00**  
**Year-To-Date Loss: \$500.00**

**January 2023: 14**      **Year-To-Date 2023: 14**      **January 2023 Loss: \$36,500.00**









WEST LAFAYETTE POLICE DEPARTMENT

MONTHLY ACTIVITY REPORT

MONTH: January 2024

<b>Calls For Service</b>	<b>568</b>
<b>Reports Taken</b>	<b>27</b>
<b>Felony Arrests</b>	<b>1</b>
<b>Misdemeanor Arrests</b>	<b>3</b>
<b>Juvenile Arrests</b>	<b>3</b>
<b>Traffic Stops</b>	<b>46</b>
<b>Traffic Crashes</b>	<b>5</b>
<b>OVI Arrests</b>	<b>0</b>
<b>Warrant Arrests</b>	<b>1</b>
<b>Civil Paper Service</b>	<b>0</b>
<b>Fuel Used</b>	<b>\$ 693.27</b>

*Chief of Police Christopher Walters*